

PB# 93-1

Monro Muffler Brake, Inc.

70-1-2.1

P.B. #93-1

Monro Muffler Brake, Inc.

Rt. 94 - Site Plan (Shaw)

Approved 9-13-93

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

13072

Received of

George W. Garrett

1/5 19 93
\$ 350.00

Three Hundred Fifty

00

DOLLARS

For Planning Board #93-1
Special Permit App. Fee - Site Plan App. Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CRS # 1703</u>		<u>200.00</u>
<u>1701</u>		<u>150.00</u>

By

Pauline G. Townsend

Town Clerk

Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

13070

Received of

Town Clerk

Jan. 5 19 93
\$ 750.00
XK

Seven Hundred Fifty

00

DOLLARS

For P.B. # 93-1
ES crew George & Nancy Jarrett (Monro Muffler)

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR. #1702</u>		<u>750.00</u>

By

Na

Captain

Title

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TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

13565

Received of

Monro Muffler / Brake

Sept. 8 19 93
\$ 150.00

One Hundred Fifty and

00

DOLLARS

For Planning Board #93-1 Approval Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CR # 025151</u>		<u>150.00</u>

By

Pauline G. Townsend

Town Clerk

Title

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NO. 93-1

September 7, 1993

DISTRIBUTION.		
FUND	CODE	AMOUNT
CRS # 1703		200.00
1701		150.00

By Pauline G. Townsend
Town Clerk
 Title

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TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, NY 12550

GENERAL RECEIPT 13070

Received of Town Clerk Jan. 5 1993
 \$ 750.00 xx

Seven Hundred Fifty 00 DOLLARS
P.B. # 93-1
 For ES claw George & Nancy Jarego (Monro Muffler)

DISTRIBUTION:

FUND	CODE	AMOUNT
CR. #1702		<u>750.00</u> 750.00

By Na
Cynthia
 Title

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TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, NY 12550

GENERAL RECEIPT 13535

Received of Monro Muffler / Brake Sept. 8 1993
 \$ 150.00

One Hundred Fifty and 00 DOLLARS
100
 For Planning Board #93-1 Approval Fee

DISTRIBUTION:

FUND	CODE	AMOUNT
CR # 025151		<u>150.00</u>

By Pauline G. Townsend
Town Clerk
 Title

© WILLIAMSON LAW BOOK Co., VICTOR, N.Y. 14564

NO. 93-1
September 7, 1993

RECEIVED FROM Monro Muffler / Brake
One Thousand Six Hundred Sixty-Nine 00 DOLLARS
4% of \$41,747.00 Inspection Fee

Account Total \$ 1,669.00
 Amount Paid \$ 1,669.00
 Balance Due \$ -0-

Rei 9/8/93
Mary Marn, Secy to the P.B.

"THE EFFICIENCY LINE" AN AMPAD PRODUCT

Site Plan Bond: \$40,000.00
 received 3/11/94 to Larry Reis

Eng. 185.00

August 24, 1994

40

MONRO MUFFLER

93-1

~~94-8~~

MR. VAN LEEUWEN: How is the muffler place, Monro Muffler?

MR. EDSALL: Yes, Monro Muffler after the board gave them a little direction, they pretty well straightened out their act. Matter of fact, they are done.

MR. LANDER: Has the drainage worked in the back, all that water from the parking lot goes to 94?

MR. EDSALL: Yeah, we were out there for some pretty heavy rains at Monro Muffler and the system was working, some real heavy rains.

MR. BABCOCK: And we haven't got any complaints.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

1 July 1994

MEMORANDUM FOR RECORD

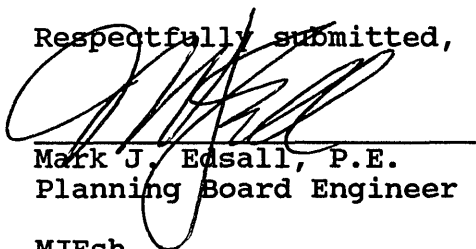
SUBJECT: MONROE MUFFLER SITE PLAN
NEW WINDSOR PLANNING BOARD NO. 93-1
FIELD REVIEW 29 JUNE 1994

This memorandum shall confirm the field review of the subject site by the undersigned and Town Building Inspector Michael Babcock, for general compliance and completion of the site with the plan approved by the Planning Board.

Based on our review, it appeared that all key site improvements for the project have been completed in an acceptable manner. Based on same, it is my recommendation that the site completion performance guarantee be released by the Town, returning same to the Applicant upon their request.

If you have any questions concerning the above, please do not hesitate to contact the undersigned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark J. Edsall', is written over a horizontal line. Below the line, the text 'Mark J. Edsall, P.E. Planning Board Engineer' is printed. The initials 'MJesh' are printed below the signature.

MJesh

cc: Jim Petro, Planning Board Chairman
Michael Babcock, Town Building Inspector
Larry Reis, Town Comptroller

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/22/93

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 93-1

NAME: MONRO MUFFLER BRAKE INC. (ALSO SPECIAL PERMIT)

APPLICANT: MONRO MUFFLER BRAKE INC.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
09/13/93	PLANS STAMPED	APPROVED
07/21/93	P.B. APPEARANCE . CLOSED P.H. - APPR. SUB. TO - BOND ESTIMATE DUE/REVISE PLAN	ND:APPR. SUB. TO
06/23/93	P.B. APPEARANCE . SEND TO O.C. PLANNING DEPT.	LA:SET FOR P.H.
06/16/93	WORK SESSION APPEARANCE	NEXT AVAIL. AGENDA
05/10/93	Z.B.A. APPEARANCE	APPROVED BY "ZBA"
03/08/93	Z.B.A. APPEARANCE	SET FOR P.H."ZBA"
01/13/93	P.B. APPEARANCE	REFERRED TO Z.B.A.
12/15/92	WORK SESSION APPEARANCE	SUBMIT APPLICATION

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/22/93

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 93-1

NAME: MONRO MUFFLER BRAKE INC. (ALSO SPECIAL PERMIT)
APPLICANT: MONRO MUFFLER BRAKE INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	01/05/93	MUNICIPAL HIGHWAY	02/26/93	APPROVED
ORIG	01/05/93	MUNICIPAL WATER	01/05/93	APPROVED
ORIG	01/05/93	MUNICIPAL SEWER	06/18/93	SUPERSEDED BY REV1
ORIG	01/05/93	MUNICIPAL SANITARY	06/18/93	SUPERSEDED BY REV1
ORIG	01/05/93	MUNICIPAL FIRE	01/08/93	APPROVED
ORIG	01/05/93	PLANNING BOARD ENGINEER	06/18/93	SUPERSEDED BY REV1
REV1	06/18/93	MUNICIPAL HIGHWAY	/ /	
REV1	06/18/93	MUNICIPAL WATER	/ /	
REV1	06/18/93	MUNICIPAL SEWER . SHOULD A GREASE TRAP BE REQUIRED FOR THIS PROJECT	06/22/93	APPROVED
REV1	06/18/93	MUNICIPAL SANITARY	/ /	
REV1	06/18/93	MUNICIPAL FIRE	06/21/93	APPROVED
REV1	06/18/93	PLANNING BOARD ENGINEER	/ /	
ORIG	06/25/93	O.C. PLANNING DEPT.	07/01/93	LOCAL DETERMIN
REV2	07/15/93	P.B. ENGINEER	/ /	
REV2	07/15/93	MUNICIPAL FIRE	/ /	

APPLICATION FEE (DUE AT TIME OF SUBMITTAL)

\$ 150.00

pd

PLAN REVIEW FEE: (APPROVAL)

150.00

PLAN REVIEW FEE (MULTI-FAMILY):
PLUS \$25.00/UNIT

A. \$150.00

B.

TOTAL OF A & B:

SITE IMPROVEMENT COST ESTIMATE: \$ 41,747.00

A. 4% OF FIRST \$50,000.00
B. 2% OF REMAINDER

A. 1,669.00

B.

TOTAL OF A & B: \$ 1,669.00



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☒ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

30 August 1993

MEMORANDUM

TO: Myra Mason, Planning Board Secretary

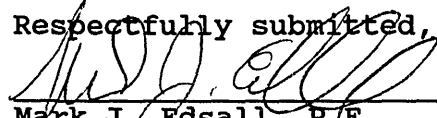
FROM: Mark J. Edsall, P.E., Planning Board Engineer

SUBJECT: MONRO MUFFLER BRAKE SITE PLAN
NEW WINDSOR PLANNING BOARD NO. 93-1
MHE JOB NO. 87-56

Please be advised that I have reviewed the site plan improvement cost estimate dated 25 August 1993 from Shaw Engineering. Please note that I take no exception to the total key site improvements estimate of \$41,747.00. Based on this estimate, an inspection fee of \$1,669.00 must be paid to the Town of New Windsor.

If you have any questions concerning the above, please do not hesitate to contact me.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:8-30-2E.mk

APPLIED BUSINESS SYSTEMS 1-800-447-7717

MONRO MUFFLER/BRAKE INC.

P. O. BOX 22720 • ROCHESTER, N.Y. 14692

INV. DATE	NUMBER	GROSS	DISCOUNT	NET	Stub	1 of 1
09/02	INSP FEE	1,669.00			1,669.00	

CHECK NO.	VENDOR NO.	GROSS	DISCOUNT	CHECK AMOUNT
025150	00009419	1,669.00		1,669.00



THE FUTURE OF
UNDER CAR CARE

P. O. BOX 22720 • ROCHESTER, N.Y. 14692

50-937
213

CHASE LINCOLN FIRST BANK, N.A.
Payable Through:
THE CHASE MANHATTAN BANK, N.A.
SYRACUSE, NEW YORK

CHECK NO.	DATE	VENDOR NO.
025150	09/03/93	9419 00025150

ONE THOUSAND SIX HUNDRED SIXTY NINE AND 00/100 *****

PAY TO THE ORDER OF:

TOWN OF NEW WINDSOR
555 UNION AVE
NEW WINDSOR, NY 12550

PAY THIS AMOUNT

*****1,669.00

MONRO MUFFLER/BRAKE INC.

⑈025150⑈ ⑆021309379⑆ 601...2...25709⑈

MONRO MUFFLER/BRAKE INC.

P. O. BOX 22720 • ROCHESTER, N.Y. 14692

INV. DATE	NUMBER	GROSS	DISCOUNT	NET	Stub	1 of 1
09/02	APPR FEE	150.00			150.00	

APPLIED BUSINESS SYSTEMS 1-800-447-7717

CHECK NO.	VENDOR NO.	GROSS	DISCOUNT	CHECK AMOUNT
025151	00009419	150.00		150.00



THE FUTURE OF
UNDER CAR CARE

P. O. BOX 22720 • ROCHESTER, N.Y. 14692

50-937
213

CHASE LINCOLN FIRST BANK, N.A.
Payable Through:
THE CHASE MANHATTAN BANK, N.A.
SYRACUSE, NEW YORK

CHECK NO.	DATE	VENDOR NO.
025151	09/03/93	9419 00025151

ONE HUNDRED FIFTY AND 00/100 *****

PAY TO THE ORDER OF:

TOWN OF NEW WINDSOR
555 UNION AVE
NEW WINDSOR, NY 12550

PAY THIS AMOUNT

*****150.00

MONRO MUFFLER/BRAKE INC.

⑈025151⑈ ⑆021309379⑆ 601⑈ 2⑈ 25709⑈

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
(914) 561-3695

August 25, 1993

Chairman James Petro and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Construction Estimate For Monro Muffler Brake Inc.

Gentlemen:

We have presented below for your consideration our construction estimate for the site improvememnts for Monro Muffler Brake. Our estimate is as follows:

CONSTRUCTION ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Macadam Pavement	1,601 S.Y.	\$ 10	\$ 16,010
Shale Parking Area	178 S.Y.	\$ 5	\$ 880
Pavement Markings	420 L.F.	\$.40	\$ 168
Concrete Curbing	596 L.F.	\$ 9	\$ 5,364
Curb Bumpers	7	\$ 15	\$ 105
Catch Basins	5	\$ 900	\$ 4,500
8" Pipe	28 L.F.	\$ 10	\$ 280
12" Pipe	35 L.F.	\$ 12	\$ 420
15" Pipe	148 L.F.	\$ 15	\$ 2,220
30" Pipe	137 L.F.	\$ 25	\$ 3,425
Handicap Sign/Striping	2	\$ 100	\$ 200
Lamppost	2	\$ 900	\$ 1,800
Austrian Pines	28	\$ 100	\$ 2,800
Shrubs	49	\$ 25	\$ 1,225
Seeding	1,700 S.Y.	\$.50	\$ 850
Masonry Dumpster Enclosure	1	\$1,500	\$ 1,500
			<u>\$ 41,747</u>



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

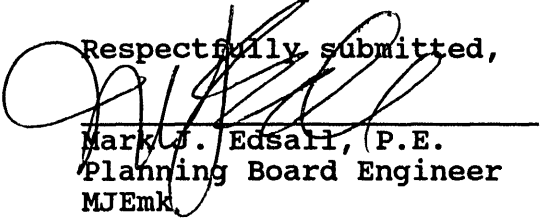
- ☐ **Main Office**
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(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MONRO MUFFLER BRAKE SITE PLAN
PROJECT LOCATION: NYS ROUTE 94 (NEAR 5-CORNERS)
SECTION 70-BLOCK 1-LOT 2.1
PROJECT NUMBER: 93-1
DATE: 21 JULY 1993
DESCRIPTION: THE APPLICATION INVOLVES THE DEVELOPMENT OF A
4,500 SQUARE FOOT SERVICE REPAIR GARAGE. THE
PROJECT WAS MOST RECENTLY REVIEWED AT THE
13 JANUARY 1993 AND 23 JUNE 1993 PLANNING BOARD
MEETINGS. THE APPLICANT IS BEFORE THE BOARD FOR A
PUBLIC HEARING AT THIS MEETING.

1. Since the proposed service repair garage is Special Permit Use B-5 for the design shopping (C) zone, the mandatory Public Hearing is being held at this meeting.
2. At this time, it is my belief that all previous engineering comments with regard to the proposed site plan have been addressed by the Applicant's Engineer. As such, I am aware of no further engineering concerns at this time. If any such concerns are identified as part of the Public Hearing, I will be pleased to review same, as deemed appropriate by the Planning Board.
3. The Board should review the record file to determine if a response has been received from the New York State Department of Transportation.
4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
5. The Planning Board should require that a bond estimate be submitted for this Site Plan in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.
6. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk

PLANNING BOARD
TOWN OF NEW WINDSOR

3 OF: 01/01/80

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

OR PROJECT NUMBER: 93-1

NAME: MONRO MUFFLER BRAKE INC. (ALSO SPECIAL PERMIT)
APPLICANT: MONRO MUFFLER BRAKE INC.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
01/05/93	S.P. MINIMUM	PAID		750.00	
01/13/93	P.B. ATTY FEE	CHG	35.00		
01/13/93	P.B. MINUTES	CHG	13.50		
06/23/93	P.B. ATTY. FEE	CHG	35.00		
06/23/93	P.B. MINUTES	CHG	31.50		
07/21/93	P.B. ATTY. FEE	CHG	35.00		
07/21/93	P.B. MINUTES	CHG	90.00		
09/02/93	P.B. ENGINEER FEE	CHG	185.00		
09/08/93	RET. TO APPLICANT	CHG	325.00		
		TOTAL:	750.00	750.00	0.00

*Please issue a check in
the amount of \$325.00 to:*

*George W. Jarrett
11 Jarrett Road
Scottsville, N.Y. 14546*

PUBLIC HEARINGMONRO MUFFLER BRAKE INC. (HOUSE OF APACHE PROPERTIES)
SPECIAL PERMIT AND SITE PLAN (93-1) - RT. 94

MR. PETRO: First we're going to have our meeting on the application and then I'll open it to a public hearing.

MR. SHAW: For the record, my name is Gregory Shaw, I'm with Shaw Engineering representing Monro Muffler. Also with me is Mr. George Jarrett, who's a representative of Monro Muffler Brake who would answer any site specific questions that you may have. The subject parcel is on New York State Route 94 immediately east of the five corners, for orientation, the former volunteer ambulance corps building is in this location, the five corners is up approximately 2, 300 feet in this direction. The parcel is in a C zone which is designed shopping. The parcel is about 40,000 square feet. In March of 1993, Monro Muffler applied and obtained variances from the New Windsor ZBA for 4 items, that being lot area, lot width, side yard setback and also building height. Additionally, this application requires a special permit from the Town of New Windsor Planning Board. So the purpose of tonight's public hearing is two fold, both for the site plan and for the special permit. The proposed structure is going to be approximately 4,500 square feet, it's dimensions are going to be 50 feet by 90 feet. It's going to consist of a storage area in the back of the structure, it's going to consist of a 6 bay facility with the bays fronting 94 and small sales office area. According to the Town of New Windsor zoning ordinance, we're required to provide 32 parking spaces. On this site, we've provided 33 so we have one more space than is required. The property fronts on a New York State highway and we have applied and received permit from the New York State DOT for the highway entrance onto Route 94 and also to connect to the drainage system.

MR. PETRO: We have the permit in the file.

MR. SHAW: Thank you very much. With respect to

utilities, the site will be connected to town water, connected to the Town sewer system, the storm drainage system will collect the on-site water and will discharge towards Route 94 into the State's drainage system. Right now, the parcel drains to the back towards Truex Circle and Truex Drive, we're going to be changing the slope, we're going to be filing the lot and bringing the slope forward so we'll be minimizing the volume of storm water draining to the rear which was a concern of the board and has been for years. We've supplied to the Planning Board landscaping plans, drawings of light fixtures and other construction details which the board has reviewed. I'd like to introduce Mr. Jarrett now who will explain a little bit about the facility, what they do and how the operation will be run and the drawing before you now is a combination of the elevations of the building and the floor plans and also the signage and it's colored in with the respective colors of the building.

MR. JARRETT: Thank you, George Jarrett, Monro Muffler. Monro Muffler is a publicly traded company, we have been in business for 35 years, we have 193 company operated locations presently, we're opening new locations every week and a half this coming fiscal year. We provide under-car care to automobiles and to light trucks. And when I say under-car care, I'm talking about exhaust, brakes, alignments, ride control, nice word for shocks and struts, we do provide New York State inspections and we do also provide oil changes. Essentially we're in the wear and tear business not covered by new car warranties. We do not do transmission work. We do not do auto body work, tune-ups, we do not work with antifreeze. All repairs are conducted within the facility, or within the structure. There will be no cannibalized vehicles sitting in the parking lot for days on end waiting for a fender or a wheel. Repairs are effected immediately to the vehicle. Our hours of operation would be no hours of operation on Sunday. Monday, Tuesday, Thursday, Friday, 7:30 a.m. through 8 p.m. Wednesday, 7:30 a.m. through 6 p.m., Saturday 7:30 a.m. through 4 p.m. As Greg had explained, the structure is roughly 50 by 90, contains 6 service bays which are pull in and back out service bays. There's an enclosed storage

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area for the storage of the parts used in our business. We have a small service ride up area, some bathrooms and a general mechanical area of the structure. The building elevations, this will be the elevation facing Route 94, the rear of the structure and the appropriate east and west elevation. Traffic we're in the high dollar per transaction business, our average ticket in is in excess of \$100, average repair takes roughly an hour to two hours depending on the service offered. We generate 25 transactions per day out of a facility that is an average per company. We generate a trip or a car every 15 minutes. We're a very low traffic generator.

MR. VAN LEEUWEN: Can we see what the building is going to be built out of?

MR. JARRETT: Split face block decorative split face block on the front and there's a rap on the waiting room side of 12 feet and there's a rap on the west elevation of four feet. The rest of the building would be, would consist of small face block that are stained white to match the split face block. The yellow portion is a luca bond panel, it's a plastic base with aluminum clad on the outside. It's a kinar (phonetic) finish or baked on enamel finish, the letters are decals that you'd apply to your snowmobile or boat on to the smooth metal surface so there's no three dimensional letters sticking out.

MR. PETRO: How about the dumpster enclosure?

MR. JARRETT: Recycling enclosure is in the rear of the facility, it's an enclosed facility with gates.

MR. PETRO: Made out of what material?

MR. JARRETT: Pressure treated stockade fencing.

MR. LANDER: We're going to ask you to change it to the same block, doesn't have to be the split face but that is what we, normally, our enclosures are to coincide with the material that is used for your building. I think in here I see chain link fence and I wrong on that one.

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MR. SHAW: No, there's detail.

MR. LANDER: That is just the gates then?

MR. SHAW: Yes, that is just the gates.

MR. LANDER: I think it's the board's pleasure, I'm only speaking for myself, if it was made out of the block we'd like that.

MR. PETRO: That is the board's pleasure.

MR. JARRETT: We don't mind using the block. We even offer the split face or the decorative block. We find that over the years, what happens to the block is as it becomes struck by the truck that picks up the dumpsters, that it is, that the repair of that becomes an ongoing project. If you construct it out of a stockade fence material, it's easy to replace a section of that fence immediately and effect repair. It wears better.

MR. VAN LEEUWEN: I agree with you but I'll tell you something take them just as long to replace a couple blocks when they are knocked, it doesn't look as bad as the stockade fence caved in. We just haven't approved any recycling enclosures with chain link fence or stockade fence.

MR. JARRETT: We have several standard designs, one of which is the decorative block.

MR. PETRO: Can you use it on this application?

MR. JARRETT: Yes.

MR. PETRO: Thank you.

MR. LANDER: We have reserved for future parking, that is going to be a shale surface, why Greg?

MR. SHAW: Yes, it is first of all we do not need that number of spaces. The last time we were before the board, what we had proposed was not even to put the curbing around that grouping of spaces. To leave the

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curbing flush with the end of pavement and to reserve that area for future parking. It's just not needed. You're going to generate more runoff when it rains and the pleasure of the board the last time we were here which was a month ago which was to curb it and you would consider shale. That is what the drawings reflect. If the answer is shale is not acceptable, you want to go with blacktop, we'll comply but--

MR. PETRO: Where is this on the map?

MR. JARRETT: It's at the rear right in here.

MR. SHAW: The spaces just aren't needed.

MR. LANDER: You don't need those 8 spaces?

MR. SHAW: No.

MR. JARRETT: What we look for is a half acre site and we only require 19 parking spaces. Your code doesn't allow it, some do, but in theory, the building acts as 6 parking spaces because of the nature of the business, you pull the vehicles in and you fix it so we're internally satisfied with 19 off-street parking spaces.

MR. PETRO: Does that meet bulk requirements?

MR. EDSALL: With those spaces included that was something we talked about by installing the curb in the fashion that Greg has shown it, it's available if they find they absolutely need it, they can pave it. It serves as an area where surface run-off can percolate back down into the ground.

MR. LANDER: We wouldn't have a problem with the water getting underneath the pavement back there, Mr. Shaw?

MR. SHAW: No, we don't feel it will.

MR. EDSALL: It's go to relieve the grade if it does get back in, it will flow towards the rear. Although the majority of the drainage is that they are picking up all the impervious areas and taking that now toward the state highway rather than black to the adjoining

neighbors.

MR. LANDER: So it is my understanding now we do not need these 8 parking spaces in the back, we can take them off taken, they'd have enough?

MR. EDSALL: Functionally, they are telling us they don't need them. From a zoning standpoint, they are creating them for compliance but saying they'd rather not pave them and leave it as a shale area.

MR. JARRETT: Last thing I want is a customer to have no place to park.

MR. PETRO: Why not pave it, it's such a small area?

MR. JARRETT: It creates a pretty good percentage of run-off on the site.

MR. SHAW: I think if the board would remember we're tying into the state drainage system, it's only 12 inch pipe out there. We've put in a 30 inch pipe parallel with 94 to store water during intense rainfall. So we're concerned about how much that pipe can handle to put in a 30 inch pipe when it's not necessary, we'd like to compliment it by minimizing the amount of water that is going through it.

MR. PETRO: 1,600 square feet basically.

MR. LANDER: Yes.

MR. PETRO: I don't have a problem with it. I think the spaces are, Mark, if the spaces are necessary to complete the bulk tables in the zoning, number of spots then it should be blacktopped regardless of the drainage. If it is a hundred percent necessary and we're using the 6 spaces in the building as spots then I don't think it should be paved. Are they required or are they--

MR. EDSALL: By zoning they are required.

MR. BABCOCK: They are required to have 32, they are showing 33 with those 8 spaces so they are, those 8

July 21, 1993

10

spaces at least 7 of them.

MR. PETRO: It has to be blacktopped, there's no discussion.

MR. VAN LEEUWEN: By rights you're right on.

MR. LANDER: That is what everyone else has to do as long as it's a parking space and if it is needed to qualify here then it's going to have to be paved.

MR. PETRO: Is that detrimental to the overloading the pipe?

MR. SHAW: No, it's just that coupled with the fact that they are not needed.

MR. PETRO: You can't pitch them to the back of the property.

MR. SHAW: I'd prefer not to, we're very concerned.

MR. JARRETT: Just seems like people don't want storm water and we try to reduce down the amount of impervious surface we always have conflicts with local municipal codes that require additional parking spaces.

MR. LANDER: You're storing them inside.

MR. PETRO: Do we feel that a tradeoff is just don't pave them to lessen the water problem, if you want to work with the applicant on this?

MR. VAN LEEUWEN: Doesn't make much difference but on the back of the property line, I'd like to see some trees.

MR. SHAW: There's a landscaping plan.

MR. VAN LEEUWEN: I see the stone wall fence, I'd like to see the trees back there to protect the homeowners back there.

MR. SCHIEFER: I agree with Hank.

MR. SHAW: That is woods back there now, that is a large vacant parcel of land which works its way over onto 32 south behind Friendly's. I understand your concerns if you want them, we'll give them to you, it's just a large wooded area, there's really nothing to buffer.

MR. JARRETT: If we don't pave the surface, we'll put a row of Austrian pines, rap it around so it meets the property. What property line is this now, westerly property line?

MR. PETRO: I just took a little poll, we don't seem to feel that is absolutely necessary to pave that, Ron and Carmen.

MR. VAN LEEUWEN: Dress up the area in the back and as far as I'm concerned--

MR. PETRO: In lieu of the extra water that is in the back of the property.

MR. JARRETT: It will help.

MR. EDSALL: Just for the record, on unique cases where you have rear parking areas that are not intended for general public use and you have drainage problems the reason why we weren't concerned at the work session is you have for unique cases accepted shale as overflow parking. Again, with only the conditions being in the rear areas not available for public use more for this type of occurrence where you have cars being worked on and mechanics are moving the cars so you have justification you have done it in the past a couple times.

MR. PETRO: You said you need 19 and you're proposing 32?

MR. EDSALL: The spaces that are involved here are the spaces required for the bays, it's not the spaces that are associated with the users or the purchasers or clients coming in, these are the spaces for jockeying cars to the bays.

MR. PETRO: Okay.

MR. VAN LEEUWEN: Can I ask one more question? I didn't know if we did ask for it, I don't see any flag pole here.

MR. SHAW: No, you didn't ask for it last time that much I can attest to.

MR. VAN LEEUWEN: That much I can attest to.

MR. PETRO: We've touched on 3 different things, we have enclosure for the garbage that is going to be made out of the split block.

MR. JARRETT: Decorative to match the building.

MR. PETRO: Parking spots remain as shale, doing some plantings in the back and put up a flag pole and usually with the flag pole, something that is 25 or 27, don't stick a two by four.

MR. VAN LEEUWEN: We want at least a nice 32.

MR. JARRETT: Nice brass knob on the top, it will have to be solid brass now?

MR. VAN LEEUWEN: Yes.

MR. PETRO: I want to open it up to the public. It's a public hearing. On June 30, 1993, addressed envelopes containing attached notice of public hearing did go out and we have a sworn before me Deborah Green, notary public of the Town of New Windsor. If someone would like to speak on this project, please come forward, state your name and address and your comments.

MR. PHIL MELORE: 10 Truex Circle, I have a problem with the drainage situation that is already there. This will probably compound the problem even more hopefully it won't but we all know that there's a situation there now.

MR. VAN LEEUWEN: Absolutely right.

MR. MELORE: If you notice in the back of my house in particular on others also there's about a three foot difference between the ground and my ground so obviously water goes down. Just out of curiosity, I would assume that all construction is approved by this board that would be correct, I would assume never assume of course. But if that construction was approved, that is in my opinion that is a little bit incompetent and I get that feeling from the board in general but that is only my opinion of course because I'm upset with this particular situation.

MR. PETRO: Did you look at the drainage?

MR. MELORE: I walked up and down the whole thing.

MR. PETRO: On the plan, do you realize they are changing the flow, it's going to go all to Route 94, the entire?

MR. MELORE: I hope it does.

MR. PETRO: It has to.

MR. VAN LEEUWEN: Otherwise, it will not be approved.

MR, MELORE: That is one less thing we have to worry about but there's still the rest of the area to address I have a problem with the noise. I see they will be open till 8 o'clock in the evening. Air drills, air tools, that kind of thing that would present a problem, nothing worse than sitting on your deck and hearing tools going, especially on a Saturday or weekday. I also have a problem with cars being parked there, being left for service, that kind of thing. If you notice about two parcels over, it's actually a junk yard. I'd like to see less cars or whatever. Also parts and that kind of stuff laying around, that is also another concern. Those are essentially about it, hopefully we'll address or you guys will address that.

MR. PETRO: While you're standing there, can you address the 2 items, the noise maybe you can help shed some light on it.

MR. JARRETT: If you look actually the bays are facing Route 94, which is an important aspect of the noise generation.

MR. PETRO: Back of the bays aren't open.

MR. JARRETT: The building inside consists of 6 inch studded wall, that is drywalled on both sides, it's a fire rated wall and then you have a 12 inch masonry wall which has insulation which acts as a sound barrier. The noise that is generated would be directed out towards Route 94 and about 60 feet out from the structure the noise generated from the facility would blend in the background of the ambient noise of the street. People living behind the building it would actually serve to lessen the amount of noise going back to the properties in the rear because the building or the structure acts as a sound deflection structure.

MR. VAN LEEUWEN: That is why I asked for the shrubbery in the back.

MR. JARRETT: Well, actually shrubbery does not offer much sound absorption to high frequency, mostly low frequency.

MR. VAN LEEUWEN: Hemlocks do.

MR. JARRETT: Structure would actually serve to reduce the amount of the street noise in the properties at the rear.

MR. PETRO: Another thing was the junk that we talked about junk cars on the property.

MR. JARRETT: We do not have any junk vehicles on the lot. We have small ranger pickup truck they use to run parts that is pulled into the building at night, people who leave their cars overnight, their vehicle is pulled into the building, there's two reasons for that, vandalism to our customers vehicles, the main reason is called spare keys. People get their car fixed, they come in at midnight, they pick it up and they're history. Our lot will be empty at night, barring a customer coming in early in the morning, dropping the

vehicle off prior to opening hours and going to work. We pride ourselves on that, the lot will be empty.

MR. LANDER: So that lot will be empty essentially?

MR. JARRETT: Yes, even the shop vehicle is pulled within the structure.

MR. PETRO: Any other comments?

MR. VAN LEEUWEN: One more place we can help these people is ask them to plant some trees along Casey Mans' property there that is about all you can do instead of putting them in the back in the side because in the back, it's not really going to help it, maybe I saw the map that Greg showed me, okay, but if you put them on the side here to the left of the property, I think that would help them.

MR. DUBALDI: They said there's trees back there already. Are they on his or the property adjacent?

MR. VAN LEEUWEN: I realize there's a junk yard, we have been trying to do something about it for years and there's no way to fight the man, we know, that is why all the water is coming from the front.

MR. MELORE: We hear talk around Town, is anything being done with that at all? Directly behind my land the gentleman leveled his land which made it of course three feet higher, if you keep tracing back behind the property you can see definitely that is why it comes in actually my neighbor gets it a lot worse than I do. My basement floods out. I've lived here only a year and a half and I'm about ready to leave already. Is anything going to be done in the future?

MR. VAN LEEUWEN: We're working on the situation. These people come in for properties, we do what we can.

MR. PETRO: This might help somewhat because the ground water already there is going to be deflected to Route 94 that is where the 30 inch pipe in the front.

MR. SHAW: If I can just touch on the drainage, the

applicant went before the Zoning Board of Appeals and this gentleman was at the public hearing, expressed his concern on drainage. After the meeting, I went to the site and there's a problem back there houses that fronts on Truex, they drop off from the road. When I was there, water was probably 15 feet wide, maybe about four to six inches deep and it's length was 2, 300 feet. It's not just a little ponding area. Monro Muffler Brake authorized me to do some survey work in that area to find out if there was a quick fix if all it took was putting in a piece of pipe to correct the problem because it's a serious problem. We had the survey all the way down and around the corner just coming up with a preliminary design to solve that problem at least in my opinion with the little work I did is going to take about 900 feet of pipe and probably about eight to ten catch basins, you're talking about 35, \$40,000. It's not a piece of pipe, it's in a low spot, and there's nothing that Monro Muffler Brake can do except to take their storm water which is going in the direction now and reverse the pitch and bring it out to 94.

MR. PETRO: That is the point I was making, what's going there at least that part of it that they are doing is going to be taken away, not solve everything.

MR. SHAW: It will reduce it.

MR. SCHIEFER: Let me just correct one thing. I agree it reduces it significantly but there's still a little bit of drainage because this goes down and this goes down.

MR. SHAW: Correct, you're talking about--

MR. SCHIEFER: It's reduced but you're still going to get some because a statement was made it will be eliminated.

MR. SHAW: Five percent of the lot will continue to drain to the Truex Drive area, five to ten percent.

MR. KRIEGER: But that part of the lot is unaffected.

MR. SHAW: Correct that will be.

MR. VAN LEEUWEN: As we go along, we'll do the best we can for you. Nobody's got the 30, 40,000.

MR. MELORE: If I took up a collection and got 35, \$40,000, it would be fixed?

MR. VAN LEEUWEN: Might be less than that.

MR. MELORE: Thank you for your time.

MR. PETRO: As other commercial properties in the area as they come in for improvements, especially the other lot there, it was filled in, I think a little further north, then at that time, we can address it too and you can't just have someone that has a piece of property.

MR. MELORE: That was never addressed when they did it.

MR. PETRO: They just filled it in but they weren't before the Planning Board.

MR. KRIEGER: All those are commercial properties, if somebody wants to develop it, they must come before the Zoning Board for site plan approval. When they come in for that, you already have been told what the Planning Board's concerns are, they have to wait for the properties one by one to come in front of the Planning Board but the economics being what they are, these are valuable properties and one can reasonably expect in the ensuing few years they are going to be developed and as they do, the Planning Board will have an opportunity with each of them. That to which Mr. Van Leeuwen was referring when he indicated it had to be a piece meal approach.

MR. MELORE: Nobody went before the Planning Board before they leveled that and that is legal, is that correct or incorrect?

MR. KRIEGER: They didn't build anything on it.

MR. MELORE: You can level and that is okay once they build something then they can come in?

MR. PETRO: You can do land preparation if you do not have an application before the Planning Board. If you want to cut down a few trees, want to fix up your yard, once you're before the Planning Board with a formal application, you cannot do any land preparation.

MR. MELORE: Thank you.

MR. PETRO: Any other person here, people, who'd like to speak on this application?

MR. VAN LEEUWEN: I make a motion to close the public hearing.

MR. PETRO: Before we do that, we have one letter from Central Academy of Beauty Culture. Dear Sirs: Although I am unable to attend the meeting mentioned above, I'd like to express my interest and concern for this area planned construction. My concern is that any development or construction in the area will be thought out and planned. It has been my desire to see that all area businesses be attractive and conform with present atmosphere of this section of Orange County as historic as it is. I appreciate your attention and time given to my to my concerns. Joan A. Shedden, Director, Central Academy of Beauty Culture. That is a neighbor just down the street so we've done some planning over the last three or four months. At this time, we have a motion to close the public hearing.

MR. SCHIEFER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing on the Monro Muffler Brake site plan. Any further discussion from the board members?

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. SCHIEFER: I'd like to ask are Greg a question. The Monro Muffler shops, they are all owned by the company? They are not franchises?

MR. JARRETT: No.

MR. SCHIEFER: I can expect the same kind of experience, the experience I've had they look good, they are not junk yards. That is the reason I was concerned. If it is a franchise, you may lose control.

MR. JARRETT: No franchise operations under Monro's name, not a one.

MR. PETRO: I like the explanation you gave for the sound, it makes sense. It would act as a buffer to the already sound on Route 94 and Vails Gate. You have a block wall ten inch.

MR. JARRETT: We had a case in Albany, New York where there were residential homes and the zoning was changed they were the non-conforming uses they came out and voiced concern. After the structure was up, the immediately adjoining neighbor in the rear saw me at the site, came up and shook my hand and told me that he thought I was lying on my rear end telling them that but he was very satisfied, both him and his wife that the actually did serve to quiet down his back yard.

MR. SHAW: One other loose end at the last meeting the board had a concern about an oil separator. I just want the record to show that building plans for this facility have been submitted to the building inspector for his review and the building plans do reflect an oil separator within the building. So that is behind us now.

MR. LANDER: DOT?

MR. SHAW: Permit in hand.

MR. PETRO: I have the permit here.

MR. VAN LEEUWEN: Greg, what about the flag pole and

the screening instead of having the screening to the rear of the property, this is where the people live in here, can you put screening there? It would help for the noise plus it would hide this here.

MR. LANDER: We're going to go wrap the trees right around.

MR. SHAW: How about approval tonight?

MR. VAN LEEUWEN: No, you're rushing us.

MR. JARRETT: Decorative block on the recycling enclosure. Flag pole, Austrian pines wrapping around from the present line shown to the west property line and no pavement area in the rear, the 9 or 8 spaces.

MR. VAN LEEUWEN: What about the flag pole?

MR. JARRETT: I have that down, flag pole to meet minimum specifications.

MR. VAN LEEUWEN: What's minimum specifications?

MR. JARRETT: You said 30 feet. I'll let Greg work that out.

MR. VAN LEEUWEN: No you won't, you'll work it out right here and now.

MR. SHAW: Is there a setback?

MR. BABCOCK: No.

MR. SHAW: We have the flexibility to put it where we like?

MR. BABCOCK: Yes.

MR. SHAW: We have the issues behind us. I'd ask the board.

MR. VAN LEEUWEN: I'm not done yet. What kind of trees are you going to put in here?

MR. PETRO: Can you show us on this map instead of Hank's where you are going to do that, please?

MR. VAN LEEUWEN: You have to thicken that up a little bit and we want them a couple of feet, just in case there's noise from here, blocks it off for these people.

MR. SHAW: What is appropriate, ten feet on center?

MR. PETRO: Ten feet might as well put one on each corner.

MR. VAN LEEUWEN: 6 feet high.

MR. SHAW: I'm talking about horizontally.

MR. JARRETT: Ten feet is the minimum spacing.

MR. VAN LEEUWEN: I went to school for that.

MR. JARRETT: So did I.

MR. VAN LEEUWEN: It will take them too long to fill in.

MR. PETRO: Where are you going to put them?

MR. SHAW: Right now we have them located in this area what we're talking about continuing them down to this corner and this is a question and continue along the rear line.

MR. VAN LEEUWEN: No, I'll back off that.

MR. SHAW: How about if they, we do them ten feet on center and double row and stagger them? This way it gives them a chance to breath.

MR. JARRETT: There's going to be a conflict because of the minimum spacing to staggering it out, we'll have.

MR. VAN LEEUWEN: Make it look nice.

MR. SHAW: We will.

MR. JARRETT: Austrians grow faster than hemlocks.

MR. VAN LEEUWEN: No, they don't. I know they are a little more expensive.

MR. PETRO: We have a determination for SEQRA, please make a motion.

MR. VAN LEEUWEN: I make a motion that we declare negative dec.

MR. SCHIEFER: Seconded.

MR. PETRO: Motion has been made and seconded New Windsor Planning Board declare negative dec on the Monro Muffler and Brake site plan.

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Local determination is back from or Orange County Planning. We have New York State DOT street permit on file. The Planning Board should require that a bond estimate be submitted for this site plan in accordance with paragraph A1G of Chapter 19.

MR. SHAW: Fine, we'll be happy to comply with that absolutely.

MR. SCHIEFER: Any reason why we shouldn't vote on this?

MR. PETRO: No.

MR. SCHIEFER: I make a motion we approve subject to.

MR. PETRO: Second it.

MR. PETRO: Motion has been made and seconded that the

July 21, 1993

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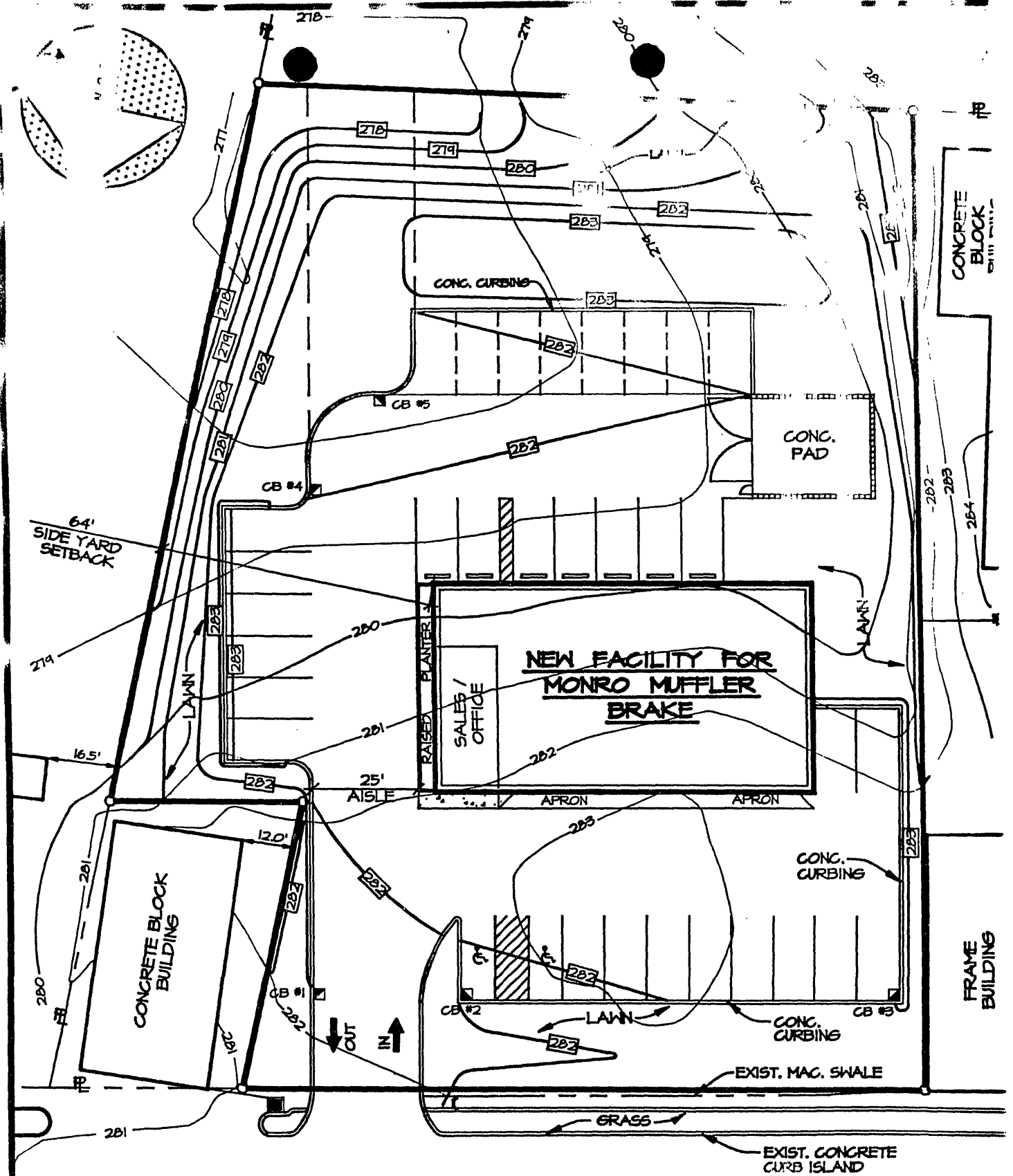
New Windsor Planning Board approve Monro Muffler Brake site plan Route 94 subject to the enclosure being made out of the same split face block as the building, the appropriate trees being planted ten foot on center staggered on the westerly side of the property, and the 30 foot flag pole being placed on the property and all subjects to's being added to the plans.

MR. SHAW: Correct before signature.

MR. PETRO: Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE



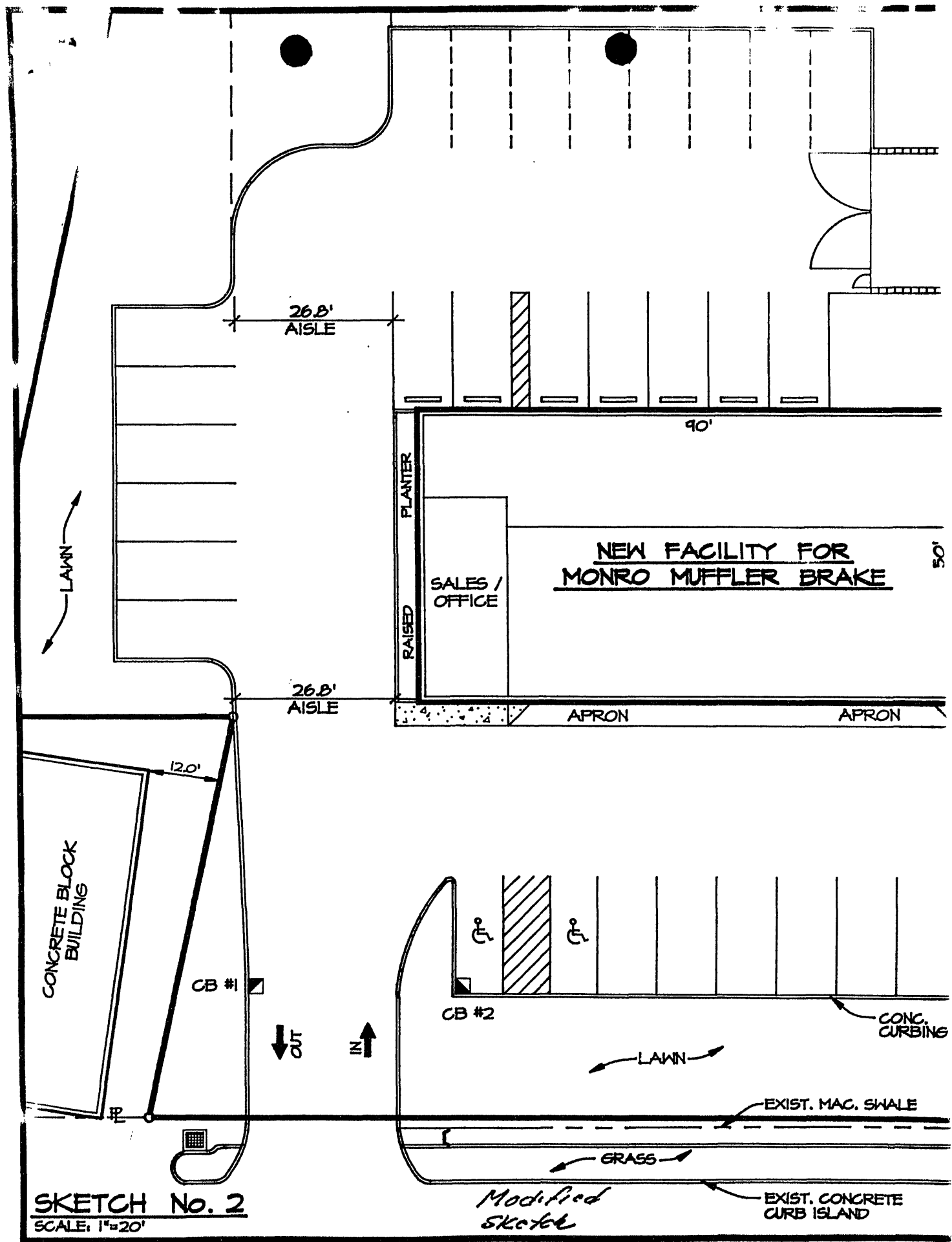
N.Y.S. ROUTE No. 94
(S.H. NO. 154)

SKETCH No. 1
SCALE, 1"=30'

Approved SKETCH

RECEIVED APR 20 1994

70-1-2.1 P.B. # 93-1





CHASE

The Chase Manhattan Bank, N.A.

4114303

50-17
223

Monroe Muffler/Brake
Purchaser

DATE 3/11/94

EXACTLY \$40,000.00 AND 00/100

PAY _____ DOLLARS \$ **40,000.00**

OFFICIAL CHECK

TO THE
ORDER
OF

*The Town of New Windsor***

Robert D. [Signature]
Authorized Signature

⑈4114303⑈ ⑆022300173⑆ 0001001007⑈

Received 3.11.94

Deposited to "Trust & Agency" account 3-14-94

DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P. C.

ATTORNEYS & COUNSELLORS AT LAW

BERNARD J. SOMMERS
JAMES R. LOEB
RICHARD J. DRAKE
STEVEN L. TARSHIS
JOSEPH A. CATANIA, JR.
RICHARD F. LIBERTH
WALLACE H. MAHAN III (1959-1991)
GLEN L. HELLER

ONE CORWIN COURT
POST OFFICE BOX 1479
NEWBURGH, NEW YORK 12550
(914) 565-1100
FAX (914) 565-1999

MONROE OFFICE
107 STAGE ROAD
MONROE, NEW YORK 10950
(914) 783-2600

TODD A. KELSON
RICHARD M. MAHON, II (N.Y. & D.C. BARS)
STEPHEN J. GABA
ELLEN VILLAMIL
ADAM L. RODD (N.Y. & CT. BARS)
KEVIN T. DOWD
STEVEN I. MILLIGRAM (N.Y. & N.J. BARS)
KAREN COLLINS (N.Y. & D.C. BARS)
SHARON C. FLETCHER
MICHELE E. REED
JONATHAN A. BATH (N.Y. & N.J. BARS)

WRITER'S DIRECT NO.
(914) 569-4327

March 11, 1994

Town of New Windsor
555 Union Avenue
New Windsor, New York 12550
ATT: Lawrence Reis, Comptroller

Dear Larry:

Re: Our File #: 5673.39015

I am writing to you following our several telephone conversations earlier today in connection with the issuance of a temporary certificate of occupancy to Monro Muffler for their new place of business in the Town of New Windsor. I am hand delivering to you with this letter a certified check to the Town of New Windsor in the amount of \$40,000 together with ~~our firm's~~ check for \$25.00 made payable to the Town of New Windsor as well.

The \$40,000 certified check represents performance security required by the Town for the issuance of the temporary certificate of occupancy. As you know the Town has received a bond from Monro in that amount. The Town objected to the form of the bond and Monro is in the process of securing a replacement bond containing the language required by the Town. When the replacement bond is secured and accepted by the Town I will request that the \$40,000 performance security paid in the form of the check be refunded to Monro.

The \$25 check to the Town of New Windsor represents the fee for the issuance of the temporary certificate of occupancy.

I want to express to you and the other Town officials with whom I have dealt this morning my thanks and appreciation for your cooperation and for your ability to help solve this problem.

Very truly yours,


JAMES R. LOEB

JRL:ms/64140
cc: George Jarrett
Monro Muffler



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

January 13, 1994

New York State Dept. of Motor Vehicles
Division of Vehicle Safety Services
The Governor Nelson A. Rockefeller Empire State Plaza
Albany, NY 12228

SUBJECT: MONRO MUFFLER BRAKE, INC.
TOWN OF NEW WINDSOR TAX LOT #70-1-2.1
891 BLOOMING GROVE TURNPIKE (RT. 94)
VAILS GATE, NY 12584

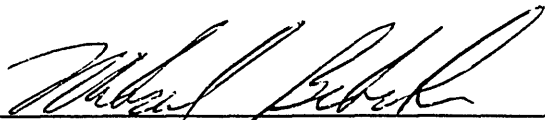
Dear Sir:

Please be aware that on September 13, 1993 the Town of New Windsor Planning Board granted approval to subject property for an automotive repair service to be located on 891 Blooming Grove Turnpike (Rt. 94) in the Town of New Windsor.

Further be aware, there are no additional permits or licenses required by this office.

We are hopeful that the above is satisfactory and if you should have any additional questions in the interim, please contact our office.

Very truly yours,



Michael L. Babcock,
Building Inspector

MLB:mlm

cc: P.B. File #93-1

" Public Hearing "

RESULTS OF P.B. MEETING

DATE: July 21, 1993

PROJECT NAME: Monro Muffler Brake Inc. PROJECT NUMBER 93-1

LEAD AGENCY:

* NEGATIVE DEC:

M) S) VOTE: A N

* M) V S) S VOTE: A 4 N 0

CARRIED: YES NO

* CARRIED: YES: ✓ NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S S) V VOTE: A 4 N 0 APPR. CONDITIONALLY: 7/21/93

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Dumpster to be made of same material as building
Include trees as buffer on landscape plan (Austrian Pines)
Include flagpole 30'

P.H. Closed (M) (S) 4 Ayes 0 Nays

Bond Estimate Due

In the Matter of Application for Site Plan/~~Subdivision of~~

Applicant.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

That I am not a party to the action, am over 18 years of age and reside at 350 Bethlehem Road, New Windsor, NY 12553.

On June 30, 1993, I compared the 53 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Myra L. Mason
Myra L. Mason, Secretary for
the Planning Board

30th day of June, 1993

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1995

AFFIMAIL.PLB - DISC#1 P.B.



1763

TOWN OF NEW-WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

June 28, 1993

Gregory Shaw
744 Broadway
Newburgh, NY 12550

Re: Tax Map Parcel: 70-1-2.1
Owner: House of Apache Properties Ltd.

Dear Mr. Shaw:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this servise is \$65.00, minus your deposit of \$25.00. Please remit the balance of \$40.00 to the Town Clerk's office.

Sincerely,

Leslie Cook (cc)

Leslie Cook
SOLE ASSESSOR

LC/cad
Attachments
cc: Pat Barnhart

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5
53

Leonardo, Constantine
18 Oak St
Newburgh, NY 12550 ✓

Leonardo, Samuel
7 Dogwood Hills Rd.
Newburgh, NY 12550 ✓

Windsor Enterprises, Inc.
PO Box 928
Vails Gate, NY 12584 ✓

C P Mans
PO Box 247
Vails Gate, NY 12584 ✓

Bahri, Jamil & Motran Jamal
16 Academy Ave.
Chester, NY 10918 ✓

Panella, Emilio
PO Box 473
Vails Gate, NY 12584 ✓

V G Maximus Inc.
c/o Joseph Pisani
203 Cambridge Court
New Windsor, NY 12553 ✓

Reynolds, Larry
4 Truex Dr.
New Windsor, NY 12553 ✓

Barbaro, John
6 Truex Dr.
New Windsor, NY 12553 ✓

Lekis, Edward F. & Jo Ann M.
PO Box 204
Vails Gate, NY 12584 ✓

Melore, Philip M. & Christina M.
10 Truex Circle
New Windsor, NY 12553 ✓

Vander Maas, Brian K. & Bridgette A.
12 Truex Dr.
New Windsor, NY 12553 ✓

Fernandez, Michael A. & Michael R.
9 Truex Circle
New Windsor, NY 12553 ✓

Tosco, Salvatore & Carolina
7 Truex Circle
New Windsor, NY 12553 ✓

Bagarozzi, Michael & Grimalda Sanchez ✓
18 Truex Dr.
New Windsor, NY 12553

Koller, Karl & Janet ✓
16 Truex Dr.
New Windsor, NY 12553

Wynder, Jr. Kenneth N. ✓
14 Truex Dr.
New Windsor, NY 12553

Slepoy, William & Andrew & Jacqueline & Gardner, Fred ✓
c/o Friendly Ice Cream Corp.
1855 Boston Rd.
Wilbraham, MA 01095

Slepoy, William & Andrew & Jacqueline & Gardner, Fred ✓
c/o Slepoy/Gardner
104 S. Central Ave. Room 20
Valley Stream, NY 11580

Scheiner, Alan & Gale
20 Truex Dr.
New Windsor, NY 12553 ✓

Reed, Clarence & Zenobia b. ✓
3 Truex Dr.
New Windsor, NY 12553

Harris, Benjamin ✓
PO Box 780
Cornwall, NY 12518

Russell, Julia & Virginia ✓
15 Truex Dr.
New Windsor, NY 12553

Nevico, Howard C. & Margaret ✓
PO Box 92, 13 Truex Dr.
Vails Gate, NY 12584

Zaccardi, Joseph A. & Melody Gay ✓
11 Truex Dr.
New Windsor, NY 12553

Norstar Bank of Upstate NY ✓
Facilities Management, PO Box 911
Newburgh, NY 12550

Mans & Miller Auto Centers, Inc. ✓
PO Box 247
Vails Gate, NY 12584

Shedden, Joan A.
Box 608A
Vails Gate, NY 12584 ✓

Aquino, John J. & Gregory Mellick ✓
c/o Gregory Mellick
135 W Nyack Rd.
Nanuet, NY 10954

Albany Savings Bank
94 Broadway ✓
Newburgh, NY 12550

V. G. R. Associates
c/o Howard V. Rosenblum ✓
300 Martine Ave.
White Plains, NY 10601

Prekas, Steve
3 Warden Circle ✓
Newburgh, NY 12550

Prekas, Steve
c/o ACSIS Foods Inc. ✓
PO Box 212
Vails Gate, NY 12584

R & S Food Inc. ✓
249 North Craig St.
Pittsburgh, PA 15213

NYS Dept. of Transportation ✓
Office of the State Comptroller
A.E. Smith Office Bldg.
Albany, NY 12236

Casaccio, Paul & Virginia ✓
41 Barclay Rd.
New Windsor, NY 12553

Primavera, Joseph A. ✓
Box 88
Marlboro, NY 12542

Angelo Rosmarino Enterprises, Inc. ✓
PO Box 392
Vails Gate, NY 12584

Amerada Hess Corp.
c/o Dean E. Cole, Manager, Property Tax Dept. ✓
1 Hess Plaza
Woodbridge, NJ 07095-0961

Korngold, Louis M.D.
135 Strawtown Rd. ✓
W Nyack, NY 10994

Brambury Associates
765 Elmgrove Rd.
Rochester, NY 14624 ✓

TGS Associates Inc.
15 East Market St.
Red Hook, NY 12571 ✓

S & S Properties Inc.
123 Quaker Rd.
Highland Mills, NY 10930 ✓

Conna Corporation
Real Estate Dept.
c/o Dairy Mart #6668
210 Broadway
E Cuyahoga Falls, OH 44222 ✓

McDonalds Corp. 031/0159
PO Box 66207
AMF Chare
Chicago, IL 60666 ✓

Gardner, Fred & Slepoy, Andrew & William & Jacqueline
c/o Andrew Slepoy
1603 Lakeview Dr.
Helwett, NY 11577 ✓

Slepoy, Herbert & Gardner, Fred
104 S. Central Ave.
Valley Stream, NY 11580 ✓

Mobil Oil Corporation
Property Tax Dept.
PO Box 290
Dallas, TX 75221 ✓

14
13
13
8
—
48 from list
5 Town officials
—
53 Mailed Out

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on July 21 1993 at 7:30P.M. on the approval of the proposed Special Permit and (Subdivision of Lands)* (Site Plan)* OF Monro Muffler Brake Inc. (Sec. 70-B1k.1-Lot 2.1) located on NYS Route 94, 300 Ft. east of Windsor Highway Map of the (Subdivision of Lands)(Site Plan)* is on file and may be inspected at the Town Clerk's Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: June 29, 1993

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James Petro

Chairman

NOTES TO APPLICANT:

- 1). *Select Applicable Item.
- 2). A completed copy of this Notice must be approved prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

RESULTS OF P.B. MEETING

DATE: June 23, 1993

PROJECT NAME: Monro Muffler Site Plan Spec. Perm PROJECT NUMBER 93-1

LEAD AGENCY:

* NEGATIVE DEC:

M) 5 S) ✓ VOTE: A 4 N 0

* M) S) VOTE: A N

CARRIED: YES ✓ NO

* CARRIED: YES: NO

PUBLIC HEARING: M) L S) ✓ VOTE: A 5 N 0

WAIVED: YES NO ✓ schedule

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES ✓ NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) S) VOTE: A N YES NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Need note re: Ole is there for informational purposes only.
show oil/water sep.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Millford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MONRO MUFFLER BRAKE SITE PLAN
PROJECT LOCATION: NYS ROUTE 94 (NEAR 5-CORNERS)
SECTION 70-BLOCK 1-LOT 2.1
PROJECT NUMBER: 93-1
DATE: 23 JUNE 1993
DESCRIPTION: THE APPLICATION INVOLVES THE DEVELOPMENT OF THE
EXISTING LOT WITH A 4,500 SQUARE FOOT SERVICE
REPAIR GARAGE. THE PROJECT WAS MOST RECENTLY
REVIEWED AT THE 13 JANUARY 1993 PLANNING BOARD
MEETING, AT WHICH TIME A REFERRAL WAS MADE TO THE
ZBA FOR NECESSARY VARIANCES.

1. To my understanding, the Applicant has received all necessary variances with regard to this project. A note has been added to the plan indicating those variances granted.
2. The proposed service repair garage is Special Permit Use B-5 for the design shopping (C) zone. As such, the Board should consider the scheduling of mandatory Public Hearing, per paragraph 48-35(A) of the Town Zoning Local Law.
3. Pursuant to my review of the most recent submitted plan, I wish to bring the following items to the Board's attention:
 - a. The Board should note that the eight (8) rear parking spaces are being constructed as a shale surface. Given the specific conditions of use expressed by Monro Muffler, I believe this is acceptable for this application.
 - b. The Board should note that site drainage is being collected and directed in a northerly direction toward the State stormwater system. The Board may wish to review, with the Applicant's Engineer, this proposed approach.
 - c. The Board should note the "future extension of aisle" at the southeast corner of the property. My recommendation regarding this item can be further discussed during the meeting.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: MONRO MUFFLER BRAKE SITE PLAN
PROJECT LOCATION: NYS ROUTE 94 (NEAR 5-CORNERS)
SECTION 70-BLOCK 1-LOT 2.1
PROJECT NUMBER: 93-1
DATE: 23 JUNE 1993

4. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
5. Submittal of this plan/application to the New York State Department of Transportation and Orange County Planning Department will be required.
6. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:MONRO2.mk

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION

HIGHWAY WORK PERMIT

Permit Fee: \$ **550.00**
 Insurance Fee: \$ **175.00**
 Total Received: \$ **725.00**
 Check or M.O. No.: **16724 & 16725**
 Liability Insurance: Policy No.: **N/A**

Expiring **1 / 1**

Permit No.: **8 - 93 - 0355**
 Project Identification No.:
 * Completion Date: **08/31/94**
 SH No.: **42**
 Deposit Rec. for \$ **3000.00**
 Check or M.O. No.: **4012**
 Dated: **07/01/93**
 Estimated Cost of Work Performed in the State Right-of-Way \$: **0.00**
 Chargeable to Bond No.:
 or Undertaking on File: **(\$ 0.00)**

Permittee:

MONROE MUFFLER BRAKE
PO BOX 22720
ROCHESTER, NY 14692
att:

Billing Address: (Complete if different from above)

Return of Deposit Made Payable to: (Complete if different from Permittee)

Under the provisions of the Highway Law or Vehicle & Traffic Law permission is hereby granted to the permittee to:

ONE 25 FOOT WIDE HIGHWAY ENTRANCE ONTO N.Y.S. ROUTE 94 IN THE TOWN OF NEW WINDSOR, AND ONE CONNECTION TO THE HIGHWAY'S DRAINAGE SYSTEM.

THE PERMITTEE IS RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC. IN ADDITION, ANYBODY WORKING IN THE RIGHT OF WAY IS REQUIRED TO WEAR A HARD HAT AND A REFLECTIVE SAFETY VEST. ANYONE WORKING WITHIN THE R.O.W. WILL WEAR HIGH VISIBILITY APPAREL (ORANGE/YELLOW) AND HARD HAT.

County -

ORANGE

Municipality -

NEW WINDSOR

Route # -

9H

as set forth and represented in the attached application at the particular location or area, or over the routes as stated therein, if required; and pursuant to the conditions and regulations whether, general or special, and methods of performing work, if any; all of which are set forth in the application and form of this permit.

Dated at: **POUGHKEEPSIE, N.Y.**Date Signed: **07/14/93**

Commissioner of Transportation

By:


MICHAEL J. MCGOVERN

This permit, with application and drawing (or copies thereof) attached shall be placed in the hands of the contractor before any work begins.

NOTICE: Before work is started and upon its completion, the permittee absolutely must notify the Resident Engineer.

**WILLIAM BAIN
(914)562-4020**

**112 DICKSON STREET
NEWBURGH, NEW YORK 12550**

UPON COMPLETION OF WORK AUTHORIZED, THE FOLLOWING WILL BE COMPLETED AND SIGNED BY THE PERMITTEE AND DELIVERED TO THE RESIDENT ENGINEER.

Work authorized by this Permit was completed on _____
DATE

Refund of desposit or return of bond or reduction of amount charged against bond or deposit on file for this permit whichever is appropriate, is requested.

DATE

PERMITTEE

AUTHORIZED AGENT (If Any)

Upon acceptance of work performed as satisfactorily completed, the Resident Engineer will sign the following and forward to the Regional Office.

Work authorized by this Permit has been satisfactorily completed and is accepted **(Reverse side of this form must be completed).**

DATE

RESIDENT ENGINEER

The Regional Office will forward this form to the Main Office with the appropriate box checked.

To: HIGHWAY PERMIT SECTION:

- ☐ Refund of Deposit on this Permit is authorized.
- ☐ Return of Bond furnished for this Permit is authorized.
- ☐ Amount charged against Blanket Bond for this permit may be cancelled.
- ☐ Retain Bond for furture permits.

DATE

REGIONAL TRAFFIC ENGINEER

The issuing authority reserves the right to suspend or revoke this permit, at its discretion without a hearing or the necessity of showing cause, either before or during the operations authorized.

The Permittee will cause an approved copy of the application to be and remain attached hereto until all work under the permit is satisfactorily completed, in accordance with th terms of the attached application. All damaged or distributed areas resulting from work performed pursuant to this permit will be repaired to the satisfaction of the Department of Transportation.

*** Upon completion of the work within the state highway right-of-way, authorized by the work permit, the person, firm, corporation, municipality, or state department or agency, and his or its successors in interest, shall be responsible for the maintenance and repair of such work or portion of such work as set forth within the terms and conditions of the work permit.**

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
HIGHWAY WORK PERMIT APPLICATION FOR NON-UTILITY WORK

PREPARE 3 COPIES

Application is hereby made for a highway work permit

Name Monro Muffler Brake Inc.

Address P.O. Box 22720

City Rochester State N.Y. Zip 14692

RETURN PERMIT TO: (If different from above)

Name Shaw Engineering

Address 744 Broadway, P.O. Box 2569

City Newburgh State N.Y. Zip 12550

Application No. 93-

Project Identification No. 355

Highway Work Permit No. 355

Effective Date 716-427-2280 Ext. 349

Applicant Telephone # (716) 427-2280 Ext. 349

Contact person in case of emergency George Jarrett
(include telephone number) same as applicant

RETURN OF DEPOSIT/BOND TO: (COMPLETE ONLY IF DIFFERENT FROM PERMITTEE)

Name _____

Address _____

City _____ State _____ Zip _____

- Requested duration from Sept. 1 19 93 thru Aug. 31 19 94, to apply to the operation(s) checked below:
- Protective Liability Insurance covered by Policy No. N/A; expires on _____ 19 _____
- Workers' Compensation Insurance Policy No. N/A expiring _____
- Disability Benefits Coverage Policy No. N/A

CHECK TYPE OF OPERATION	Permit Fee	Show Ins. Fee in Amt. or PERM 17 or Undertaking on file	Total Amount of Fee and / or Insurance	Guarantee Deposit Amount and / or Bond	Check or Bond Number
<input checked="" type="checkbox"/> 5. Single job - Permit issued for each job					
<input type="checkbox"/> a. Driveway or roadway <ul style="list-style-type: none"> <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial - Minor <input type="checkbox"/> Commercial - Major - (Less than 100,000 square feet Gross Building Area) <input type="checkbox"/> Commercial - Major - (100,000 square feet Gross Building Area and Greater) <input type="checkbox"/> Subdivision Street <input type="checkbox"/> Temporary access road or street 	\$ 15 550 1400 Actual cost with a minimum of \$2000 paid upon submission of permit app. 900 200	\$175.00 016724 7/1/93	\$550.00 016725 7/1/93	\$3,000.00 04012 Chad 7/1/93	
<input type="checkbox"/> b. Improvement <ul style="list-style-type: none"> <input type="checkbox"/> Residential <input type="checkbox"/> Commercial Check additional description below: <ul style="list-style-type: none"> <input type="checkbox"/> Install sidewalk, curb paving, stabilized shoulder, drainage, etc. <input type="checkbox"/> Grade, seed, improve land contour, clear land of brush, etc. <input type="checkbox"/> Resurface existing roadway or driveway 	15 200				
<input type="checkbox"/> c. Tree Work <ul style="list-style-type: none"> <input type="checkbox"/> Residential <input type="checkbox"/> Commercial (not required for pruning if utility has annual maintenance permit) Check additional description below: <ul style="list-style-type: none"> <input type="checkbox"/> Removal or planting <input type="checkbox"/> Pruning, applying chemicals to stumps, etc. 	15 25				
<input type="checkbox"/> d. Miscellaneous Construction <ul style="list-style-type: none"> <input type="checkbox"/> Beautifying ROW - (for Civic Groups only) <input type="checkbox"/> Temporary signs, banners, Christmas decorations <input type="checkbox"/> Traffic control signals <input type="checkbox"/> Warning and entrance signs <input type="checkbox"/> Miscellaneous - Requiring substantial review <input type="checkbox"/> Miscellaneous 	NC 25 500 25 400 25				
<input type="checkbox"/> 6. Compulsory permit required when work performed at the request of D.O.T.					
<input type="checkbox"/> a. Building demolition or moving requested by D.O.T. <ul style="list-style-type: none"> <input type="checkbox"/> Demolition <input type="checkbox"/> Moving 	NC NC				
<input type="checkbox"/> b. Improvement to meet Department standards	NC				
<input type="checkbox"/> 7. Miscellaneous	25				

WORK MAY BE DESCRIBED BRIEFLY AS FOLLOWS: one 25 foot wide highway entrance on to
N.Y.S. Route 94 in the Town of New Windsor, and one connection to the
Highway's Drainage System.

Additional work description is attached; Plans _____ page and/or _____ Map is attached showing work to be performed at:

LOCATION (on X along _____ across _____) State Route 94 S.H. No. 134 42
between Reference Marker 94,8301,12.93 and Reference Marker 94,8301,12.95 in the Town of New Windsor

County of Orange known as _____

SEQR REQUIREMENTS: (Check appropriate box)

☐ Exempt ☒ Ministerial ☐ Type II ☒ EIS or DEIS Lead Agency Planning Board

If project is identified to be ministerial, exempt, or TYPE II, no further action is required.

If project is determined to be other than ministerial, exempt, or TYPE II, refer to M.A.P. 7.12-2, Appendix A SEQR REQUIREMENTS FOR HIGHWAY WORK PERMITS.

Acceptance of the requested permit subjects the permittee to the restrictions, regulations and obligations stated on this application and on the permit.

Applicant Signature [Signature] Date July 6 19 93

For Joint application and work, note name and address of Second Applicant below:

Second Applicant Signature _____ Date _____ 19 _____

Approval recommended 7/6 19 93 By Resident Engineer W. [Signature] Residency No. 8-4

Approved [Signature] 7/13 19 93 By Regional Traffic Engineer M.J. MIGNONIA Region No. 8

PERMIT IS ISSUED CONTINGENT UPON LOCAL REQUIREMENTS BEING SATISFIED.

ZONING BOARD OF APPEALS
Regular Meeting
March 22, 1993

7:30 p.m. - ROLL CALL

Motion to accept the minutes of the 03/08/93 meeting if *APPROVED* available.

PRELIMINARY MEETING:

SET UP
FOR P/H 1. HARRIS, BRYANT/JOHNSON, FLOYD - Request for 980 s.f. lot area, 15 ft. front yard and 20 ft. rear yard variances for construction of a single-family dwelling on Dean Hill Road in an R-3 zone. (67-1-2.22).

SET UP
FOR P/H 2. PRUDENTIAL RELOCATION MANAGEMENT - Request for 5 ft. rear yard variance for existing deck located at 454 Philo Street in an R-4 zone. Present: Theresa Smallman of Prudential Empire, Realtor. *73-4-6*

SET UP
FOR P/H 3. ~~X~~ AMERICAN FELT/TOOHEY BROS. - Request for use variance to allow funeral home in a PI zone, 9 ft. 10 in. bldg. height and 12 off street parking space variances at Plympton Street (aka John St.). (14-2-3). Present: William Hildreth, L.S.

PUBLIC HEARING:

APPROVED
4. ~~X~~ HOUSE OF APACHE/MONRO MUFFLER BRAKE - Referred by Planning Board. Request for 156 s.f. lot area, 8 ft. lot width, 5 ft. sideyard, 11 ft. 8. in building height, 80 s.f. sign area and 3 ft. sign height variances for one free-standing sign, 127 s.f. sign area variance for wall sign and 1 ft. variance for vertical dimension of sign, to construct muffler shop in C zone (west of former ambulance bldg.). Present: James R. Loeb, Esq. of Drake Sommers and Greg Shaw, P.E. of Shaw Engineering. (70-1-2.1).

DISAPPROVED
5. ~~X~~ PIZZO, JOHN - Request for 20% developmental coverage and 39 s.f. sign area variance for construction of professional building to be located on Temple Hill Road in a PO zone. (4-1-11.1).

APPROVED
6. FIRST BENMAR - Request for area variance from Sec. 48-12-Col. A 1(b) and M9 to allow 8 horses on 11 acre parcel (20 acres required) located in the Liberty Meadows Subdivision on Route 207 in an R-1 zone. Two horses are permitted. Present: James R. Loeb, Esq. of Drake Sommers and Robert Benad of First Benmar. (52-1-99).

FORMAL DECISIONS: (1) SARINSKY
(if available) (2) BERNHARDT
(3) STEWART'S } *APPROVED*

PAT - 562-7107 (h)
563-4630 (o)

ZONING BOARD OF APPEALS
Regular Meeting
May 10, 1993

AGENDA

7:30 p.m. - ROLL CALL

Motion to accept the minutes of the 04/26/93 meeting as written if available. **APPROVED**

PRELIMINARY MEETING:

SET UP FOR P/A. KWG REALTY (GALLAGHER TRUCK CENTER) - Request for the following sign variances:

~~Wall signs: 194 ft. 8 in. variance~~

Free-standing (existing) sign: 216 s.f. variance

" " " "

~~25 ft. height variance~~

Free-standing (proposed) sign: ~~216~~ s.f 11 in. variance

Plus, a variance for more than one free-standing sign per lot, and a variance for wall signs which exceed maximum square feet, located on Route 32 in a PI zone. (9-1-23.1). Present: Marc Cohen from The Neon Place and Frank Gallagher.

84.72
SQ FT

SET UP FOR P/A LEIDY, THOMAS - Request for 10 ft. rear yard variance for existing shed located at 200 MacArthur Avenue in a PI zone. (18-4-4).

PUBLIC HEARINGS:

TABLE TO

5-24-93 3. HARRIS/JOHNSON - Request for 9,801 s.f area, 15 ft. front yard and 20 ft. rear yard variances to construct a single-family residence on Dean Hill Road in an R-3 zone. (67-1-2.22).

APPROVED 4. COLLINS, ROBERT - Request for variances to allow garages to project closer to road than principal building contrary to Section 48-14A.(4) of Supplementary Yard Regs. at property located on Jackson Avenue in an R-1 zone. (57-1-34.1).

FORMAL DECISIONS: (1) APACHE/MONRO
(if available)

3 — APPROVED

PAT - 562-7107 (h)
563-4630 (o)

B.I.

ZONING BOARD OF APPEALS
Regular Session
March 8, 1993

AGENDA: *Revised*

7:30 P.M. - ROLL CALL

Motion to accept the minutes of the 02/08/93 meeting as written. *APPROVED*

PRELIMINARY MEETINGS:

*SET UP
FOR P/H*

1. HOUSE OF APACHE/MONRO MUFFLER BRAKE - Referred by Planning Board. Request for 156 s.f. lot area, 8 ft. lot width, 5 ft. sideyard, 11 ft. 8. in building height, 80 s.f. sign area and 3 ft. sign height variances for one free-standing sign, 127 s.f. sign area variance for wall sign and 1 ft. variance for vertical dimension of sign, to construct muffler shop in C zone (west of former ambulance bldg.). Present: Steve Gaba, Esq. of Drake Sommers and Greg Shaw, P.E. of Shaw Engineering. (70-1-2.1).

*SET UP
FOR P/H*

2. FIRST BENMAR - Request for area variance from Sec. 48-12-Col. 1(b) and M9 to allow 8 horses on 11 acre parcel (20 acres required) located in the Liberty Meadows Subdivision on Route 207 in an R-1 zone. Two horses are permitted. Present: Steve Gaba, Esq. of Drake Sommers present. (52-1-99).

*SET UP
FOR P/H*

3. PIZZO, JOHN - Request for 20% developmental coverage for construction of professional building on Temple Hill Road in a PO zone. (4-1-11.1). Present: Paul V. Cuomo, P.E.

*SET UP
FOR P/H*

4. RIZZO, ANGELO - Request for use variance to construct additional apartment over three-car garage located at 601 Little Britain Road in an NC zone. (33-2-13.1).

PUBLIC HEARINGS:

APPROVED

✓ 5. MORIN, ANDRE - Public Hearing continued from 2/8/93. Copies of the contract between MORIN and TNW attached. (63-1-1.2).

APPROVED

✓ 6. KEYSER, KEVIN - Request for 3 ft. rear yard variance for existing deck located on Walnut Avenue in R-4 zone. Present: William Ochs. (62-3-2).

FORMAL DECISIONS: (1) QUALITY HOME BUILDERS/MECCA
(If available) (2) SLIFSTEIN

APPROVED

PAT - 562-7107 (h)
563-4630 (o)

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 93-1

DATE: 2-3-93

APPLICANT: Monro Muffler Brake, Inc.

2340 Brighton Henrietta Town Line Rd.

Rochester, N.Y. 14623

#1 ZBA
3-8-93
SET UP FOR P/H

#2 ZBA
3-22-93
APPROVED

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED January 5, 1993

FOR (SUBDIVISION - SITE PLAN) Site Plan

LOCATED AT Rt. 94 - Vails Gate

ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 70 BLOCK: 1 LOT: 2.1

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

REQUIRES AREA(LOT), LOT WIDTH, SIDE YARD
AND BUILDING HEIGHT VARIANCES.

See Attached Sheet
for Sign Variances

M. Babak

TOWN BUILDING INSPECTOR

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>C</u>	USE <u>B-5</u>		
MIN. LOT AREA	<u>40,000</u>	<u>39,844</u>	<u>156</u>
MIN. LOT WIDTH	<u>200</u>	<u>192</u>	<u>8</u>
REQ'D FRONT YD	<u>60</u>	<u>71</u>	<u>—</u>
REQ'D SIDE YD.	<u>30</u>	<u>25</u>	<u>5</u>
REQ'D TOTAL SIDE YD.	<u>70</u>	<u>89</u>	<u>—</u>
REQ'D REAR YD.	<u>30</u>	<u>115</u>	<u>—</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>161</u>	<u>—</u>
MAX. BLDG. HT.	<u>4'/4" = 8'-4"</u>	<u>20'</u>	<u>11'-8"</u>
FLOOR AREA RATIO	<u>0.50</u>	<u>0.11</u>	<u>—</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
DEV. COVERAGE	<u>N/A</u> %	<u>N/A</u> %	<u>N/A</u> %
O/S PARKING SPACES	<u>32</u>	<u>33</u>	<u>—</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

MONRO MUFFLER BRAKE, INC. SITE PLAN (93-1)

Mr. Gregory Shaw of Shaw Engineering appeared before the board representing this proposal.

MR. VAN LEEUWEN: What property is it.

MR. SHAW: Next to the ambulance corps.

MR. BABCOCK: Where they tore Marshall's house down.

MR. SHAW: This is owned by House of Apache Properties Limited.

MR. PETRO: For your own information, we do have an approval from the Fire Department and from the Water Department.

MR. SHAW: Just to give you a quick overview, the parcel is just a little bit shy of 40,000 square feet, as you mentioned, it's on 94, it's immediately west of the former ambulance corps building and it's very close to the 5 corner intersection. The proposal before you tonight is to develop a 4,500 square foot facility for Monro Muffler Brake. It's not a gasoline operation business, it's a service repair garage. They would do mufflers, they'll do brakes and some other miscellaneous servicing of vehicles. The purpose of coming before you tonight is to get a rejected to allow us to go before the ZBA. If you look up in the zoning schedule you'll see that we're in a C zone which is designed shopping. For openers, we're going to need a special permit from this Planning Board to operate a service repair garage in this particular zone. In addition to that, if you look over in provided, you'll see the double asterisks, we're about 100 square feet shy of the lot area we're going to need a variance for that.

MR. VAN LEEUWEN: You need 40,000 square feet.

MR. SHAW: We're shy eight feet on the lot width, we'll need a variance for that also. On the side yard, we're only able to provide 25 feet. We're required to

provide 30 feet so we'll need a 5 yard variance on that and again the building height which is based upon the distance to the nearest lot line based upon our current setbacks we're only allowed to go to a height of eight feet four inches which is not acceptable, our building height will be 20 feet so we'll need a variance for that. So we need 4 variances. So as I said, the purpose coming before you tonight is not only to discuss the project, if you have any questions, but really just a formality to get a rejection from this board to go to the Zoning Board of Appeals and to hash out the variances and then return back to this board for site plan approval.

MR. VAN LEEUWEN: One thing I'd like to see and you didn't put in there.

MR. SHAW: That is sketch, it's not the site plan.

MR. VAN LEEUWEN: I make a motion we approve.

MR. SCHIEFER: I'll second it.

MR. PETRO: Motion has been made and seconded to approve Monro Muffler Brake site plan by New Windsor Planning Board. Is there any further discussion by the members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN	NO
MR. SCHIEFER	NO
MR. DUBALDI	NO
MR. LANDER	NO
MR. PETRO	NO

MR. PETRO: Obviously, you have to seek variances from the New Windsor Zoning Board once you've received those variances have them in place on your plans you can then appear before the New Windsor Planning Board again.

MR. SHAW: Thank you.

MR. KRIEGER: Didn't we have a standard letter for referral for this variance?

MR. EDSALL: Planning Board does have a referral form to it attached is a copy of the minutes if the board has any comments regarding the layout, this is the time to get it in the record. If they support or not support the layout as shown.

MR. VAN LEEUWEN: I'll support it.

MR. PETRO: I don't think we have a problem.

MR. EDSALL: One of the things that may be to the applicant's advantage to get in the minutes is the fact that the building is placed in a form that allows for the desired access around it for the fire department as well they have what it was explained to me the reason why the building is placed where it is front to back so that the vehicle storage for cars being worked on can be behind the building so it is not unsightly. So there's a reason and a purpose for the manner in which the site was laid out which the reason I'm putting it in the minutes, they could effectively put the building in a less desirable position functionally to avoid the need for variances but that in fact may cause a situation where the fire department may reject the plan and you may have vehicles parked in front of the buildings which may not meet this board's approval.

MR. DUBALDI: See what ZBA says, that is all.

MR. EDSALL: If you want it for the record, get it in that you support the reasons why they've placed the building like they did. This is the time to do it so the applicant has your support when they go to the ZBA.

MR. PETRO: I think the members would concur with the Planning Board Engineer and we do support the design as it stands and good luck at the Zoning Board.

MR. SHAW: Thank you.

MONRO MUFFLER SITE PLAN (93-1) RT. 94

Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Municipal fire approved this on 6/21/93. Sewer Department is interested in one thing and that is grease trap be required for this project so maybe you want to add that.

MR. SHAW: For the record, I'm representing Monro Muffler Brake tonight on this presentation. We were originally before you probably about five months ago where this board respectfully declined site plan approval and sent us to the Zoning Board of Appeals for a few variances. We've gone to the Zoning Board of Appeals and we do have all our variances in hand including sign variances so we got everything we needed. If you look at the zoning schedule you see the variances that we obtained. We were a little shy on the lot area again we're required to provide 40,000 square feet in this zone, C design shopping area, we got a variance for that. We got a variance for eight feet for our lot width, we got a variance for bulk side yards, we got a variance for building height which is based upon the distance to the nearest lot line and maybe that is about all, yes, 4 variances we obtained. I may note the fact that this application before you is going to require a special permit which is also going to require a public hearing. The purpose of coming before you tonight is to get the board up to speed with what this project, is going to involve and respectfully request that you set up the public hearing for the special permit next month and the board may elect to also have a public hearing on the site plan at the same time as you normally do. The parcel--

MR. VAN LEEUWEN: Are you tearing the old building down?

MR. SHAW: There's no building.

MR. LANDER: This is just right next to Jimmy's.

MR. PETRO: At this time, I would like to disclose for

the minutes that I do own the concrete block building that is to the north of this site but I have no connection to this applicant whatsoever.

MR. VAN LEEUWEN: I thought it was the old Hess station.

MR. SHAW: No.

MR. LANDER: You were hoping it was the old Hess station.

MR. SHAW: For orientation, this is the former ambulance corps building and over here is the traffic light. The site is approximately 40,000 square foot site. What we're proposing to do is to put up a building 90 feet by 50 feet, 4,500 square feet within that building we would have 6 bays for service that would encompass 2,250 square feet. We have a storage area of 1,725 feet that have would be in the rear and we have a sales office rest room area which will be located in this corner of the building and that would encompass 525 square feet. With respect to parking, we're required under your zoning ordinance to provide 32 spaces, we've provided 33 so we have one more than we need with respect to parking. Please understand Monro Muffler does not anticipate--

MR. VAN LEEUWEN: Are you giving us a bone?

MR. SHAW: Yes. I have been in contact with Don Green with respect to the entrance out onto Route 94 and with respect to the drainage which will be connecting to the State system, he agrees with both the design of the entrance on the storm drainage, we'll be filling out the papers and going for our permit immediately. I would say probably the first part of next week. But I've talked to him and the layout that is before you is acceptable, just a question of going through the process and in grinding out the paperwork.

MR. LANDER: Greg, that says to me that all the drainage from this lot is going to go to 94?

MR. SHAW: Correct. Ron touched on a very good point.

When we went before the Zoning Board of Appeals, there was public hearing and there was some residents from Truex Drive that attended and their only concern was the drainage.

MR. VAN LEEUWEN: I've got a good spot for you to dump that water.

MR. SHAW: What happens is the people, the rear yards of Truex Drive is a low lying area and water literally ponds there. I have been out there, I've walked it.

MR. VAN LEEUWEN: Amongst the cars.

MR. SHAW: You have water maybe six inches deep, 15 feet wide just laying in the back of the yards heading in this direction going parallel with 94. The storm drainage was not caused by this site, my opinion it was caused by other properties on Route 94 when you have continually filled and had a low lying area in this case and by filling it created another new low lying area behind the homes. These people have a concern about drainage right now approximately this portion of our site and this portion of our site drains to the rear, this portion drains forward. So what we're contributing to the back of the homes on Truex Drive isn't a great amount of storm water because we don't have any impervious area, it's dirt, grass, scrub, brush. We looked into it to see whether or not it's possible to drain out the area. We sent out a surveyor and he shot some elevations and it's not a cheap ticket to drain the rear of the homes. You're talking probably maybe a thousand feet of piping, half of which would be in the back yards of these homes and you wouldn't get relief until you came along Truex Drive, made the left-hand turn and came out onto 94 because the grade drops from Truex Drive to 94, that is where you can pick up relief. Realizing we couldn't cure that problem although we have identified it, what we decided to do, fill our lot and bring everything from this point forward into the State's drainage system. The question is what's the capacity of the State's drainage system and can it take our storm water flow. Again, we don't have a large area we're talking 2/3 of an acre between bidding and parking area. We've

installed 30 inch piping at a relatively flat slope and it's going to be underground detention so when we get a storm water flow, it's going to be constructed by an 8 inch pipe which is going to connect to the state system and back it up and store it in the 30 inch pipe system underground. Don Green has found this acceptable. So what we're doing if anything is we're helping the drainage problem by taking storm water flows which would be draining towards Truex Drive and bringing it to Route 94 into the State system and on heavy rain storms, we'll be storing it in underground pipes and bleeding it out. It's basically a small underground retention pond instead of a pond, it's a pipe.

MR. PETRO: Only 12 inch pipe in front of the property?

MR. SHAW: That is all it is and it's under the new improvements to have the New York State DOT when they re-did five corners, I'm surprised at such a small diameter pipe but it is 12 inches that is why we have to constrict the flow and only connect with an 8 inch pipe.

MR. PETRO: How about ten?

MR. SHAW: Eight will still do the job. The whole idea as with the ponds is to collect the water in this case with the 30 inch piping and let it bleed out after the storm passes through. I want, if the board deems it appropriate, you're going to have these residents here and they are going to express their concern and I want to let the board know we went through the effort to identify the problem and try to correct it.

MR. VAN LEEUWEN: You don't want to put the drainage system in?

MR. SHAW: We can't, it's too much.

MR. LANDER: I don't see if the applicant would be burdened with that, the only thing I would suggest is back here, let's get a berm back there a little earthen berm maybe we can slow the water down from getting back to the people in a hurry. It does slope back, how many feet do we have back in here?

MR. SHAW: Maybe 50 feet, it's not a lot.

MR. LANDER: Little berm in back there.

MR. EDSALL: How about planting?

MR. PETRO: What's that in the back?

MR. SHAW: I thought it would be, this property is owned by House of Apache Properties Limited. This parcel in the back is also owned by Apache Properties, this parcel wraps around Friendly's and has frontage on Route 32 heading south, a substantial amount of frontage. I've looked at the parcel, I've played with it over the years trying to come up with some type of development on it. Some day something it will be built there and again it's a design shopping district. The intent is that if something does get built here, there's an opportunity for traffic to exit through this aisleway and exit onto Route 94. Now we're not asking for the board's approval of this aisleway at this point. I wanted to put it on the plan to just show the board that it does have potential to serve as a one way exit, it cannot be an entrance or left-hand turn exit.

MR. EDSALL: I talked to Greg about that, I don't have any problem about it being on the plan but I would suggest that the plan once it comes in final form include a note that indicates that it's there for formal purposes only and it's not being approved as part of this application as number one. And number 2, indicate that if that aisle is to be developed as part of adjoining land development that this aisle would require the Planning Board's approval as well.

MR. VAN LEEUWEN: Correct.

MR. EDSALL: Maybe not site plan submittal but an approval from the board and that way all at least it's documented.

MR. SHAW: I said that there would be no left-hand turns out, there would be left-hand turns out, just as Monro would be able to make left-hand turns coming out

of the facility. I want to correct myself.

MR. PETRO: Obviously, this plan has to go to Orange County Planning Department.

MR. SCHIEFER: I make a motion that New Windsor Planning board become lead agency in this Monro Muffler Brake Incorporated.

MR. VAN LEEUWEN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board take lead agency in the Monro Muffler Brake site plan on Route 94. Is there any further discussion from the board members? If not, roll call

ROLL CALL

MR. LANDER	AYE
MR. SCHIEFER	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE

MR. LANDER: Make a motion that we schedule them for a public hearing.

MR. VAN LEEUWEN: I'll second it.

MR. PETRO: Motion has been amde and seconded that the New Windsor Planning Board schedule a public hearing for the Monro Muffler Brake site plan on Route 94.

MR. VAN LEEUWEN: One I want to see a kind of a rendering what the building is going to look like.

MR. SHAW: You'll get it and it will be colored.

ROLL CALL

MR. LANDER	AYE
MR. SCHIEFER	AYE
MR. PETRO	AYE

MR. VAN LEEUWEN AYE
MR. DUBALDI AYE

MR. EDSALL: An item that Ron brought up which was a way of possibly buffering the back properties from any runoff going down that slope you indicated a berm. My concern with a berm is it may tend to hold water and become a ponding area, any problem if they looked at putting vegetation to maybe draw out some of the water and create I'd rather not see a berm because it may tend to hold pond water. Do you have any problem with that?

MR. LANDER: I suggested to Greg about two years ago underwater detention and here he's come up with it here only took him two years.

MR. SHAW: It's such a small site that is why you can do it, it's cost effective.

MR. PETRO: Just address the sewer trap at the next meeting, remember that you have to do that.

MR. EDSALL: You're looking at an oil water separator.

MR. SHAW: I'll have all the visual aids at the next public hearing. We'll give you the full dog and pony show.

MR. PETRO: Check with Myra for the public hearing.

MONRO MUFFLER - DISCUSSION

MR. EDSALL: Last Friday, Monroe Muffler requested that Mike and I do a site inspection, the normal site inspection as we do for all applications for site plan approval in New Windsor that we assure that they have reasonably completed the site improvements prior to the issuance of the C.O. or they have to bond the remaining amounts of work. I was quite shocked when we got there that in fact none of the paving was done, they had just finished grading and were spreading Item 4 and they were desirous of a C.O. with absolutely no paving. It's difficult to pave. Now they want no put in a temporary concrete handicapped parking space that they'd chop out and replace with pavement weather permitting. The problem we ran into is that the plans called for eight inches of Item 4 and three inches of pavement which simple math, it's 11 inches and there was no away there was 11 inches from the top of the catch basin grates down to the ground or from the apron, the sill from the building down to the ground. When we inquired as the how they were going to make the earth move so that they can get the pavement in at a later time, the contractor merely said I'm only doing what I am being told to do. I don't know what your plan says. So we asked the Monroe Muffler representative and he was a little surprised and he says well, actually, it's the contractor who's running the overall operation for Monroe Muffler and he said well, you know, they are supposed to be on grade and we're putting the eight inches. I tried to explain if you put in eight inches and don't account for the 3 for the pavement, then you scrape away three inches of the eight, you no longer have eight but that was well above his understanding of construction or his desire to try to understand it. So what Mike and I told him to do is to give us a new bond estimate for removing everything in the spring, to come in and do it right in the spring and that was the end of the discussion. We haven't heard from him since.

MR. DUBALDI: He put in eight inches?

MR. BABCOCK: There's probably some spots where there's eight and along the edge of the sidewalk there's

8 inch reveal and some places less than that and he put some fabric, like he asked the guy if he could cut down on Item 4 because of the fabric and I explained to him that is not what the plan called for. We're not here to design, we're here to inspect what's on the plan.

MR. EDSALL: In any case, something that I think you're going to have to think is the fact that you have two things they are not complying with your plan that you approved and secondly, how much do you really want to bond? I mean they literally don't have the entire site completed.

MR. LANDER: They have some of the drainage in, catch basins, curbs aren't in. He did the curb cut for the highway.

MR. BABCOCK: They were pouring them that day.

MR. LANDER: Curbs they were pouring?

MR. BABCOCK: Yes, the entrance curbs.

MR. LANDER: None of the stuff was on the back like they said, none of the site improvements are done.

(Whereupon, Mr. Van Leeuwen entered the room)

MR. VAN LEEUWEN: They have cars in there. They are operating there.

MR. LANDER: They are?

MR. VAN LEEUWEN: As far as I know.

MR. EDSALL: There is a pickup truck that Monro Muffler owns.

MR. VAN LEEUWEN: I saw three cars in there the other day and that was last week.

MR. EDSALL: Friday they weren't open.

MR. BABCOCK: When we were there, there was 6 to 8 inch drop at the concrete slab, you know, so it didn't

appear that they were doing any work. There was nobody there. There was one guy stocking shelves as the material came in and the contractors, there was no representative from Monro Muffler there whatsoever.

MR. PETRO: I think they are just too far away from completion for any C.O. I think it's not feasible. I'll tell you what I am going to do. I'm going to put my foundation in down there and what I am going to do is bond the rest. But I'd like to have a C.O.

MR. BABCOCK: One thing that you do have, you're right, and I agree, that is why we're talking about it. The situation you have is we're in the middle of the winter and we have to make a decision and we want to make sure we make the right decision that if you don't allow him to bond this project for what they are going to do, that means they are not going to be able to open up until they can get springtime.

MR. LANDER: It's going to be at least another 6 weeks.

MR. EDSALL: I didn't have any problem with them putting up a substantial bond as long as they were doing whatever work they could accomplish in accordance with the plan. But that is not what they are doing. They want to go in there and say well, we're going to put it in there, we know it doesn't meet the requirements of the plan, we're off grade but we'll worry about that later. If they have to go in there and tear out all the Item 4 and recut the parking lot, I really doubt they are going to do that. We're going to be arguing.

MR. PETRO: There's a major, major water problem there.

MR. EDSALL: If you recall, Greg Shaw had a very difficult time with the plan because the grading was critical. They don't seem to care too much about the grade so that tells me that there's a problem.

MR. DUBALDI: Tell them they must comply with the site plan.

MR. VAN LEEUWEN: How has the rest of the work been,

MR. VAN LEEUWEN: How has the rest of the work been, Mike?

MR. BABCOCK: We've had our share of problems.

MR. VAN LEEUWEN: Then don't give them nothing, simple. That is the main question, isn't it, how has the rest of the work been completed?

MR. BABCOCK: They have a habit of calling for the inspections after the work is complete.

MR. LANDER: That is no good.

MR. VAN LEEUWEN: So in other words, they are not working with you guys at all.

MR. BABCOCK: Not at all.

MR. EDSALL: We usually try to work with everybody but these people don't seem to follow the plan that you approved.

MR. LANDER: Is it the contractor or is it Monroe Muffler themselves?

MR. VAN LEEUWEN: Contractor works for Monroe Muffler. It's Monroe Muffler's responsibility that they follow the plan. That is their responsibility, their responsibility only, not the contractors.

MR. BABCOCK: I told them that it is him that I am holding responsible because he's the owner of the building and you guys don't care about me now, I mean I got there for a concrete pour, I got there 9:30 in the morning and it was already poured. If I got there 4 o'clock in the afternoon, yeah, the guys had to wait ut around 9:30 in the morning that is pretty good for me to get there even that early. And that is after they already did it once and we made them get an engineering report on the concrete that they poured.

MR. VAN LEEUWEN: If they are not working with you guys, why should we stick our neck out for them? Very simple.

MR. BABCOCK: What we advised them is that they need a new cost estimate to take all the material out that they are putting in, get the property on grade so that there wasn't a drainage problem.

MR. VAN LEEUWEN: That is critical.

MR. LANDER: This is the question that Mike's bringing to us now. Should we let them. Now they are supposed to have 11 inches of material, they are spreading Item 4, they are not on grade and what Mike is asking us do we let them continue to do that and let them come back and undercut to make room for the material. In essence that is what you're saying?

MR. BABCOCK: That is correct.

MR. VAN LEEUWEN: If they follow the plan completely, and did everything they were supposed to do, we'll be glad to work with them as far as I'm concerned. I'm only one person but if they are--

MR. PETRO: I still think the piping that is in the front of the property is sort of like this and you have the vent on top of that galvanized pipe. Now without the blacktop there, what's going to stop all the runoff and the silt to go in that?

MR. EDSALL: It's already going in and they have a slotted drain across the entrance and I believe that the slotted drain is already picking up quit a bit of mess.

MR. LANDER: Do they have a method of cleaning that drain now?

MR. EDSALL: There's a catch basin on the downstream end.

MR. BABCOCK: They put one layer of duct tape on it and when the trucks drove over, it just cut right through so we--

MR. EDSALL: They should have plated it.

MR. BABCOCK: We discussed it, me and Mark discussed it and said that it is going to have to be flushed out completely, that is going to retain water. You remember that one, it's a huge pipe that is going to retain water and let it out slow.

MR. PETRO: Without the blacktopping, without a sufficient cover of some kind, how are you going to have a temporary parking lot without the silt problem?

MR. EDSALL: If they get Item 4 in and compact it, it would be contained as it is now.

MR. BABCOCK: We want to work with businesses because we know the blacktop plants aren't open.

MR. LANDER: Is that something that--

MR. VAN LEEUWEN: If that was the only thing, that is one thing. It's not the only thing.

MR. EDSALL: My biggest concern is that what they are doing and what they can do they are doing wrong. If they were doing everything they could and doing it correctly and following the plan you approved, well then fine. There's nothing wrong and we'd just bond what's left but what they are doing they are doing wrong.

MR. BABCOCK: I think DOT is going to have a problem with the issuance of a C.O. so the entrance isn't complete.

MR. PETRO: I think we should postpone any C.O. or talk about it for at least two weeks till the next meeting we'll bring it up again.

MR. BABCOCK: I'm sure we'll be in touch and we'll be out there again so we can give you a report.

MR. DUBALDI: I move that we adjourn the meeting.

MR. LANDER: Second it.

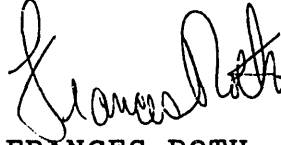
February 20, 1994

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ROLL CALL

MR. LANDER	AYE
MR. DUBALDI	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE

RESPECTFULLY SUBMITTED BY:


FRANCES ROTH
STENOGRAPHER 2/24/94

March 9, 1994

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93-1

DISCUSSION

MONRO MUFFLER SITE PLAN - VAILS GATE

MR. VAN LEEUWEN: Have any of the problems been cleared up?

MR. PETRO: I think extensively. I want a report from Mark and Mike.

MR. EDSALL: I'll start you off.

MR. PETRO: Oh, do we have someone representing this?

MR. MARK DONOHO: My name is Mark Donoho. I'm the construction manager for Monro Muffler.

MR. EDSALL: As you know, prior to the last meeting, we discussed with the board some concerns we had relative to the construction that was occurring on the site and the fact that certain work that was being performed was not in compliance with the approved plan. Since that time, we have had another follow-up visit on March 1 that Mike and I both attended and at that point, it was demonstrated to us and also explained in detail that in fact based on our commentary from the first visit when it was clear that there was problems with the work that Monro Muffler and their contractors decided to remove the deficient work and reconstruct it in an acceptable form. Effectively they tore up the Item 4 shale that was in place, removed the woven fabric, undercut the parking lot so that it was to the proper grade then replaced the woven fabric, I believe new fabric and put in the Item 4 and in turn, we asked randomly to dig a test pit to find out what the depth of the shale was. And in fact, it was 11 inches, which is what's required. So my understanding from what they have told us and what I saw is that they've fixed the problem which was the unacceptable work. As well, we outlined to them what we believe were minimum requirements for them to be able to ask for a C.O. and post a bond obviously whatever can't be done because of the weather conditions, we had great difficulty telling them that they had to do it, even though the weather won't let them, paving and such and landscaping. So what we've

asked them to do is place all the catch basins grates so they can fill around them with the shale. As of today another visit I made both yesterday and today, yesterday Mike was tied up on some inspections, I went as well myself today, the catch basins are in. They've finished their rough grading in the rear and they've created so that we won't have a drive problem, a berm around the back, just an earthen berm temporarily so if we have heavy rains, we don't have problems with the residences in the rear. They've put the Item 4 in the rear and rough graded it out and as well they understand that they need to finish it up before they can pave in the spring. They've placed a concrete temporary concrete pad for handicapped parking in the front and they understand that's got to be removed and they've got to correct the problem with the slope of the sidewalk in front of the main entrance. All those things are really restricted because of the weather and they've submitted an as-built survey that Mike's going to review. Based on my discussion with Bill Hildreth, the location of the building is acceptable relative to the variance they received and the zoning for that area as well the plan that you approved and they've also submitted a performance bond which Andy Krieger has some comments regarding but they are proposing a dollar amount of \$40,000, whatever you do tonight just understand that I'm going to verify since it was today when I made it out last time I've got to spend some time tomorrow looking at the numbers just to confirm that the 40 is acceptable. But the review of the estimate that Greg Shaw did, he's rounded up so he believes that the 40 is more than enough.

MR. PETRO: Thank you, Mark. Mike, on a building point of view, how have things been progressing?

MR. BABCOCK: Everything has been done 100 percent on the building. They are ready to go.

MR. PETRO: Everything is satisfactory, I know you had a couple concerns last time. It's all been taken care of?

MR. BABCOCK: Everything has been taken care of.

MR. VAN LEEUWEN: If everything has been done and it's been done according to Hoyle, I have no problem.

MR. DUBALDI: No problem.

MR. PETRO: Then we would say at this point--

MR. KRIEGER: You want me to talk about the bond?

MR. PETRO: Why don't you take care of that.

MR. EDSALL: Well, I think the bottom line is that Andy's got to explain to Mark or someone from Monro the concerns he has regarding the bond and I would assume that the bond has to be in place before the C.O. has to be issued.

MR. BABCOCK: We can do that.

MR. EDSALL: There's a concern.

MR. PETRO: We don't need to do that now, it's just housekeeping, not a matter of the Planning Board. I think at this point what the Planning Board is saying it's back in your hands, if you will, that everything is done, issue a C.O., if you deem necessary.

MR. BABCOCK: Okay, good.

MR. DONOHO: I appreciate your patience with our project. Thank you.

MR. BABCOCK: What you can do is call me and I'll get you in touch with Andy, unless Andy's got a card and straighten out the concerns with him.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

2 March 1994

MEMORANDUM FOR RECORD

SUBJECT: MONRO MUFFLER, INC. SITE PLAN
COMPLETION STATUS REVIEW - 1 MARCH 1994
MHE JOB NO. 87-56.2/T93-1

On the afternoon of 1 March 1994 a follow-up visit was held at the subject site to review the progress in completing the key site improvements for the approved site plan. Present at this field review were the undersigned, Town Building Inspector Michael Babcock, Monro Muffler representative Mark Donahoe, Building Contractor Joe Pucello, and Site Contractor Bob Mule.

As the first item, we were advised by the Contractors that, pursuant to our comments at the last visit, they had removed the Item 4 and woven fabric, followed by additional excavation/grading to bring same to acceptable subgrade elevation. Following same, new or recovered fabric was re-placed and a full 11" of Item 4 spread and compacted. To verify same, a random spot was selected, dug down to the fabric and the thickness of the item measured. 11+" was noted.

At the time of our visit the front of the site out to the State highway had the Item 4 placed. The catch basins at the front of the site had the basin grate installed and Item 4 graded to the rim elevation. From the front left corner of the site rearward, rough grading had been performed; however, the Item 4 had not been placed. Many other items of work remained incomplete, due to the weather conditions over the last months.

With Monro Muffler's goal being the ability to obtain a Certificate of Occupancy via bonding of the remaining site items, we followed with a discussion of those items which must be complete, such that the C of O can be issued. The following items were outlined:

1. Complete installation of catch basin grates.
2. Complete rough grading to subgrade elevation.

2 March 1994

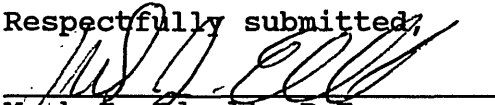
MEMORANDUM FOR RECORD

-2-

3. In side and rear parking areas, place required 8" of subbase material (acknowledging that the grade will be 3" low at this point).
4. Provide silt runoff protection in both the front and rear of the site, utilizing haybales, silt fence and/or (for the rear area) a temporary earth berm to keep drainage from running in a southerly direction.
5. It was also noted, at the time of our visit, that the cross-slope of the sidewalk in front of the customer entrance is excessive and violates the provisions of the State code and ANSI/ADA. As such, we recommended that this last section of concrete sidewalk be removed at the time the temporary handicapped parking slab is removed, with both replaced with the finish pavement courses.

A follow-up visit was scheduled for the afternoon of 8 March 1994. At that time we agreed to review the above items and, based on the site improvement estimate submitted by the Applicant's Engineer, determine the appropriate bond amount required at the time the Certificate of Occupancy is requested.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: James Petro, Planning Board Chairman
Michael Babcock, Town Building Inspector

A:3-2-H.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

23 February 1994

MEMORANDUM

TO: Michael Babcock, Town Building Inspector

FROM: Mark J. Edsall, P.E., Planning Board Engineer

SUBJECT: MONRO MUFFLER BRAKE, INC. SITE PLAN
NEW WINDSOR PLANNING BOARD NO. 93-1
FIELD REVIEW 18 FEBRUARY 1994

This memorandum shall confirm my field visit with you on the afternoon of 18 February 1994, at which time we acknowledged that a significant amount of the site improvements had not been completed at the time of our requested visit. At the time of our visit, contractors associated with the Applicant were in the process of spreading Item 4 material over the project parking area. The contractor had decided to add the installation of woven fabric under the Item 4 to the parking areas. At the time of our visit, a small amount of concrete curbing had been completed; the majority of the curbing and the entirety of the paving was not started nor completed.

Of concern at the time of our visit was the elevation of the finished pavement subbase, since the thickness of the material and the placement of same was inconsistent with the approved details of construction. Insufficient thickness of Item 4 existed, relative to the completed cross-section with required 3" pavement placement. Joe Pucello of the developer was advised of this condition and he spoke with Bob Mule of the contractor to discuss this situation. It was acknowledged that the construction under way did not comply with the plan stamped approved by the Planning Board on 13 September 1993.

Of additional concern was the as-built location of the constructed building relative to the property lines. This item was subsequently discussed with William Hildreth, L.S. on the morning of 19 February 1994, at which time Mr. Hildreth advised the undersigned that the side yard and front yard setbacks were substantially in

23 February 1994

MEMORANDUM

-2-

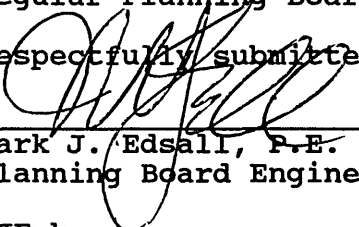
compliance with the approved plan and the building location (as-constructed) complies with the zoning requirements and requirements of the zoning variance.

At the time of our leaving the site, we advised the Applicant's representative that the project must be completed in compliance with the approved plan and a completion Performance Guarantee reflecting the removal of any temporary items and proper placement of final improvements should be submitted at the time of request of Certificate of Occupancy. The Applicant is to contact their project engineer with regard to same and advise the Town accordingly.

* * * *

It should be noted that this matter was further discussed at the regular Planning Board meeting held on 23 February 1994.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: James Petro, Planning Board Chairman

A:2-23-2E.mk

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: FEBRUARY 24, 1993

APPLICANT: MONRO MUFFLER BRAKE, INC.
2340 BRIGHTON HENRIETTA TOWN LINE ROAD
ROCHESTER, N.Y. 14623

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: FEBRUARY 3, 1993

FOR (BUILDING PERMIT): 93-1

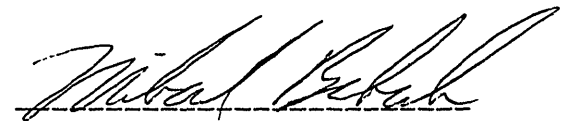
LOCATED AT: ROUTE 94, VAILS GATE, NEW WINDSOR, N.Y.

ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 70 BLOCK: 1 LOT: 2.1

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. FREESTANDING SIGN EXCEEDS 40 SQ. FT.
2. FREESTANDING SIGN EXCEEDS 15 FT. HEIGHT
3. WALL SIGN EXCEEDS 20 SQ. FT.



BUILDING INSPECTOR

PERMITTEDPROPOSED OR
AVAILABLEVARIANCE
REQUESTZONE CUSE N-9SIGNFREESTANDING

40 SQ. FT.

120 SQ. FT.

80 SQ FT

HEIGHT

15 FT.

18 FT.

3

WALL SIGNS

20 SQ. FT.

147 SQ. FT.

127 SQ FT

TOTAL ALL SIGNSFEET FROM ANY LOT LINE

THE VERTICAL DIMENSION SHALL NOT EXCEED 2 FT.

PERMITTED

PROPOSED

VARIANCE

2 FT.

3 FT.

1 FT.

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT
914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF
APPEALS.

CC: Z.B.A., APPLICANT, B.P. FILE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

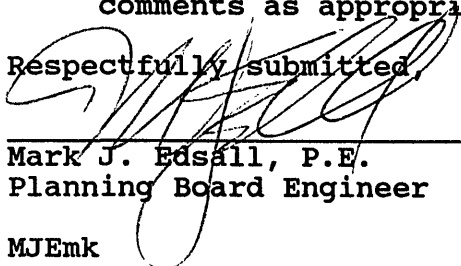
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: MONRO MUFFLER BRAKE SITE PLAN
PROJECT LOCATION: NYS ROUTE 94 (NEAR 5-CORNERS)
SECTION 70-BLOCK 1-LOT 2.1
PROJECT NUMBER: 93-1
DATE: 13 JANUARY 1993
DESCRIPTION: THE APPLICATION INVOLVES THE DEVELOPMENT OF THE
EXISTING LOT WITH A 4,500 (GROSS) SQUARE FOOT
SERVICE REPAIR GARAGE. THE USE IS PERMITTED IN
THE DESIGN SHOPPING (C) ZONE AS A SPECIAL PERMIT
USE (USE B-5); HOWEVER, BASED ON THE CONFIGURATION
OF THE LOT AND THE PROPOSED DEVELOPMENT, AREA
VARIANCES WILL BE REQUIRED.

1. It is my recommendation that the Planning Board make a concept review of this site plan, taking action such that the Applicant can seek the necessary variances from the Zoning Board of Appeals.

Once all necessary variances have been received by the Applicant and the Applicant returns to the Planning Board, I will make a detailed review of the plan, providing the Planning Board with comments as appropriate.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:MONRO.mk

P.B. #93-1 Site Plan Application Fee

GEORGE W. JARRETT
NANCY F. JARRETT
11 JARRETT RD.
SCOTTSVILLE, NY 14546
(716) 427-2280
EXT. 349

1701

50-17/223
BRANCH 56

12-29 1992

PAY TO THE
ORDER OF

Town of New Windsor

\$ 150⁰⁰

One hundred fifty dollars even

DOLLARS



CHASE Chase Lincoln First Bank, N.A. 056
One Rochester Street
Scottdville, NY 14546

MEMO

Site Plan Fee

⑆022300173⑆ 000 376 9890⑈ 1701

George W. Jarrett

P.B. #93-1 Special Permit Application Fee

GEORGE W. JARRETT
NANCY F. JARRETT
11 JARRETT RD.
SCOTTSVILLE, NY 14546
(716) 427-2280
EXT. 349

1703

50-17/223
BRANCH 56

12-29 1992

PAY TO THE
ORDER OF

Town of New Windsor

\$ 200⁰⁰

Two hundred dollars even

DOLLARS



CHASE Chase Lincoln First Bank, N.A. 056
One Rochester Street
Scottdville, NY 14546

MEMO

Special Permit

⑆022300173⑆ 000 376 9890⑈ 1703

George W. Jarrett

P.B. #93-1 ESCROW

GEORGE W. JARRETT
NANCY F. JARRETT
11 JARRETT RD.
SCOTTSVILLE, NY 14546
(716) 427-2280
EXT. 349

1702

50-17/223
BRANCH 56

12-29 1992

PAY TO THE
ORDER OF

Town of New Windsor

\$ 750⁰⁰

Seven hundred fifty dollars even

DOLLARS



CHASE Chase Lincoln First Bank, N.A. 056
One Rochester Street
Scottdville, NY 14546

MEMO

Site plan escrow fee

⑆022300173⑆ 000 376 9890⑈ 1702

George W. Jarrett



COUNTY OF ORANGE Department of Planning

124 MAIN STREET, P.O. BOX 968, GOSHEN, NEW YORK 10924
TEL: (914) 294-5151 FAX: (914) 294-3546

Mary M. McPhillips
County Executive

Peter Garrison
Commissioner of Planning

ORANGE COUNTY DEPARTMENT OF PLANNING
239 L, M OR N REPORT

R. Vincent Hammond
Deputy Commissioner

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by:

Town of New Windsor

OCDP Reference No.: NWT 8 93 M
County I.D. No.: 70-1-2.1

Applicant:

House of Apache Prop.

Proposed Action:

Special Permit/Site Plan - Vehicle Service Repair Facility

State, County, Inter-Municipal Basis for Review:

Within 500' of US Rte. 94

Comments:

There are no significant inter-municipal or countywide considerations to bring to your attention.

Related Reviews and Permits:

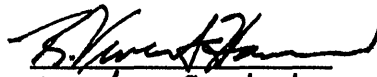
County Action: Local Determination X

Disapproved

Approved

Approved subject to the following modifications and/or conditions:

Date:
6/30/93


Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Please refer to this number on
your response.
Local File No. 93-1

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date _____

☐ City, Town or Village Board ☒ Planning Board ☐ Zoning Board

2. Owner: Name House of Apache Properties, Ltd.

Address 104 South Central Ave. - Valley Stream, N.Y. 11580

3. Applicant*: Name Monro Muffler Brake Inc.

Address 2340 Brighton Henrietta Town Line Rd. - Rochester, N.Y. 14623

* If Applicant is owner, leave blank

4. Location of Site: N.Y.S. Rt. 94 300' East of Windsor Hwy.
(street or highway, plus nearest intersection)

Tax Map Identification: Section 70 Block 1 Lot 2.1

Present Zoning District C Size of Parcel .92 Acres

5. Type of Review:

Special Permit: See Below

Variance: Use _____

Area _____

Zone Change: From _____ To _____

Zoning Amendment: To Section _____

Subdivision: Number of Lots/Units _____

Site Plan: Use Vehicle Service repair facility - Brakes & Mufflers

6/25/93

Date

Myna Mason, Secy to the P.B.
Signature and Title

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 21 June 1993
SUBJECT: Monro Muffler Brake Inc.

PLANNING BOARD REFERENCE NUMBER: PB-93-1
DATED: 18 June 1993

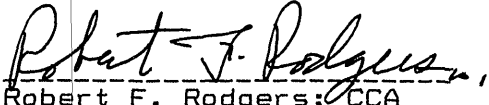
FIRE PREVENTION REFERENCE NUMBER: FPS-93-039

A review of the above referenced subject site plan was conducted on 18 June 1993.

This site plan is acceptable.

PLANS DATED: 31 May 1993.

RFR:mr
Att.


Robert F. Rodgers; CCA
Fire Inspector



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93-1

DATE PLAN RECEIVED: JUN 18 1993

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

_____ for the building or subdivision of

MONROE MUFFLER & BRAKE has been

reviewed by me and is approved ✓

disapproved _____

If disapproved, please list reason _____

SHOULD A GREASE TRAP BE REQUIRED FOR THIS
APPLICATION

HIGHWAY SUPERINTENDENT _____ DATE _____

WATER SUPERINTENDENT _____ DATE _____

[Signature] 6.22.83
SANITARY SUPERINTENDENT _____ DATE _____



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 93-1
WORK SESSION DATE: 16 June 1993 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: Plan
PROJECT NAME: Monroe Muffler
PROJECT STATUS: NEW X OLD _____
REPRESENTATIVE PRESENT: Greg Shaw
MUNIC REPS PRESENT: BLDG INSP. @ Atty
FIRE INSP. X
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

add shale overflow pks.
needs P/H s/p + sp. Port
Next avail agenda



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 1

DATE PLAN RECEIVED: JAN - 5 1993

The maps and plans for the Site Approval MONROE MUFFLER & BRAKE, INC

Subdivision _____ as submitted by

Shaw Eng. for the building or subdivision of _____ has been

reviewed by me and is approved ✓

disapproved _____.

If disapproved, please list reason _____

Hand Signed 2/26/93
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

✓
cc: M.E.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93- 1

DATE PLAN RECEIVED: JAN - 5 1993

The maps and plans for the Site Approval OK Town Water
Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been
reviewed by me and is approved _____,
disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT DATE

John Buf 1-5-93
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER OFFICE CORRESPONDENCE


TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 8 January 1993
SUBJECT: Monroe Muffler Brake Inc.

PLANNING BOARD REFERENCE NUMBER: PB-93-1
DATED: 5 January 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-002

A review of the above referenced subject site plan was conducted on 8 January 1993.

This site plan is acceptable.


Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

MONRO MULLER

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF

New Windsor

P/B #

93-1

WORK SESSION DATE:

15 Dec '92

APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED:

PROJECT NAME:

Monro Muller

PROJECT STATUS:

NEW

X OLD

REPRESENTATIVE PRESENT:

Gre, Ra

MUNIC REPS PRESENT:

BLDG INSP.

X

FIRE INSP.

X

ENGINEER

X

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Service Repair Garage

needs area variances

93 - 1

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SPECIAL PERMIT

1. Name of Project New Facility for Monro Muffler Brake Inc.
2. Name of Applicant Monro Muffler Brake Inc. Phone (716) 427-2280 Ext 349
Address 2340 Brighton Henrietta Town Line Rd., Rochester, N.Y. 14623
(Street No. & Name) (Post Office) (State) (Zip)
House of Apache
3. Owner of Record Properties, LTD Phone (516) 872-9572
Address 104 South Central Ave., Valley Stream, N.Y. 11580
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Gregory J. Shaw, P.E. Phone (914) 561-3695
Address 744 Broadway, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney James Loeb Phone (914) 565-1100
Address Corwin Court, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Gregory J. Shaw, P.E. Phone 561-3695
(Name)
7. Location: On the south side of NYS Route 94
(Street)
300 feet east
(Direction)
of Windsor Highway
(Street)
8. Acreage of Parcel .92 9. Zoning District C
10. Tax Map Designation: Section 70 Block 1 Lot 2.1
11. Describe proposed use in detail: A vehicle service repair facility, consisting of the installation of Brakes and Mufflers, in a C zone. Facility will consist of 4,500 S.F. of building on a 39,884 S.F. Lot.

12. Other Property Information:

- a.) Is the proposed use in or adjacent to a Residential District? Yes, Adjacent to a corner of an R-4 Zone
- b.) Is a pending sale or lease subject to Planning Board approval of this application? Yes
- c.) When was property purchased by present owner? _____
- d.) Has property been subdivided previously? No When? _____
- e.) Has property been subject of special permit previously? No When? _____
- f.) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No
- g.) Is there any outside storage at the property now or is any proposed? Describe in detail: No

13. Attach a proposed plan showing the size and location of the Lot and location of all buildings and proposed facilities, including access drives, parking areas and all streets within 200 feet of the Lot. Plan should also comply with the Site Plan Checklist, as applicable.

AFFIDAVIT

Date: Dec. 29, 1992

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The Applicant further understands and agrees that the Planning Board may require you to periodically renew a Special Permit and withhold renewal upon a determination that prescribed conditions have not been or are no longer complied with.

George W. Jarrett
(Applicant)
George W. Jarrett

Sworn to before me this
29 day of Dec, 1992
[Signature]
(Notary)

JAMES R. LONG
Notary Public, State of New York
No. 7023400
Qualified in Orange County
My Commission Expires September 28, 1994

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project New Facility for Monro Muffler Brake Inc.
2. Name of Applicant Monro Muffler Brake Inc. Phone (716) 427-2280 Ext 349
Address 2340 Brighton Henrietta Town Line Rd., Rochester, N.Y. 14623
(Street No. & Name) (Post Office) (State) (Zip)
House of Apache
3. Owner of Record properties, LTD Phone (516) 872-9572
Address 104 South Central Ave., Valley Stream, N.Y. 11580
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Gregory J. Shaw P.E. Phone (914) 561-3695
Address 744 Broadway, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney James Loeb Phone (914) 565-1100
Address Corwin Court, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Gregory J. Shaw, P.E. Phone 561-3695
(Name)
7. Location: On the south side of NYS Route 94
(Street)
300 feet east
(Direction)
of Windsor Highway
(Street)
8. Acreage of Parcel .92 9. Zoning District C
10. Tax Map Designation: Section 70 Block 1 Lot 2.1
11. This application is for Site Plan Approval for a vehicle
service repair facility in a C zone.

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? No

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

_____ being duly sworn, deposes and says
that he resides at _____
in the County of _____ and State of _____
and that he is (the owner in fee) of _____

(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

29 day of Dec 1992

[Signature]
Notary Public

JAMES R. LOES
Notary Public, State of New York
No. 7582400
Qualified in Orange County
My Commission Expires September 30, 1994

[Signature]
(Owner's Signature)
[Signature]
Herb Slepoy
(Applicant's Signature)
George W. Jarrett
Real Estate Mgr.
(Title)

PROJECT I.D. NUMBER

617.21

93 - 1
JAN - 5 1993

SEQR

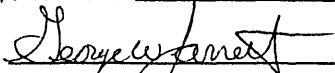
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Monro Muffler Brake Inc.	2. PROJECT NAME New Facility for Monro Muffler Brake Inc.
3. PROJECT LOCATION: Municipality Town of New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) South side of N.Y.S. Route 94, 300 feet east of its intersection with Windsor Highway.	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Construction of a 4,500 S.F. vehicle service facility on a 39,884 S.F. Lot.	
7. AMOUNT OF LAND AFFECTED: Initially .92 acres Ultimately .92 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals Town of New Windsor Planning Board - Special Permit Town of New Windsor Zoning Board of Appeals - Variances	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: Monro Muffler Brake Inc. Date: _____	
Signature:  George W. Jarrett	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>No</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>No</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>No</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>No</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.</p> <p>No</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.</p> <p>No</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.</p> <p>No</p>	
<p>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly</p>	

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- Date**

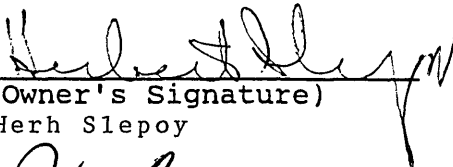
PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

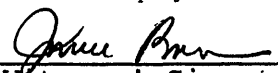
Herb Slepoy, deposes and says that he
conducts business
~~resides at~~ 104 South Central Avenue, Valley Stream
(Owner's Address)

in the County of _____
and State of New York
an officer of the corporation which owns
and that he ~~is the owner in fee of~~ Tax Map Section 70, Block 1,
Lot 2.1

which is the premises described in the foregoing application and
that he has authorized Gregory J. Shaw, P.E. and James Loeb, Esq.
to make the foregoing application as described therein.

Date: Dec. 15, 1992


(Owner's Signature)
Herb Slepoy


(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

93- 1

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

- | | |
|--|--|
| 1. <u>X</u> Site Plan Title | 29. <u>X</u> Curbing Locations |
| 2. <u>X</u> Applicant's Name(s) | * 30. <u> </u> Curbing Through |
| 3. <u>X</u> Applicant's Address(es) | Section |
| 4. <u>X</u> Site Plan Preparer's Name | * 31. <u> </u> Catch Basin Locations |
| 5. <u>X</u> Site Plan Preparer's Address | * 32. <u> </u> Catch Basin Through |
| 6. <u>X</u> Drawing Date | Section |
| 7. <u>X</u> Revision Dates | * 33. <u> </u> Storm Drainage |
| | 34. <u>X</u> Refuse Storage |
| 8. <u>X</u> AREA MAP INSET | 35. <u>N/A</u> Other Outdoor Storage |
| 9. <u>X</u> Site Designation | * 36. <u> </u> Water Supply |
| * 10. <u> </u> Properties Within 500 Feet | * 37. <u> </u> Sanitary Disposal Sys. |
| of Site | |
| * 11. <u> </u> Property Owners (Item #10) | 38. <u>N/A</u> Fire Hydrants |
| 12. <u>X</u> PLOT PLAN | 39. <u>X</u> Building Locations |
| 13. <u>X</u> Scale (1" = 50' or lesser) | 40. <u>X</u> Building Setbacks |
| 14. <u>X</u> Metes and Bounds | * 41. <u> </u> Front Building |
| 15. <u>X</u> Zoning Designation | Elevations |
| 16. <u>X</u> North Arrow | 42. <u>X</u> Divisions of Occupancy |
| 17. <u>X</u> Abutting Property Owners | * 43. <u> </u> Sign Details |
| 18. <u>X</u> Existing Building Locations | 44. <u>X</u> BULK TABLE INSET |
| 19. <u>X</u> Existing Paved Areas | 45. <u>X</u> Property Area (Nearest |
| 20. <u>X</u> Existing Vegetation | 100 sq. ft.) |
| 21. <u>X</u> Existing Access & Egress | 46. <u>X</u> Building Coverage (sq. |
| | ft.) |
| <u>PROPOSED IMPROVEMENTS</u> | 47. <u>X</u> Building Coverage (% |
| * 22. <u> </u> Landscaping | of Total Area) |
| * 23. <u> </u> Exterior Lighting | 48. <u>X</u> Pavement Coverage (Sq. |
| * 24. <u> </u> Screening | Ft.) |
| 25. <u>X</u> Access & Egress | 49. <u>X</u> Pavement Coverage (% |
| 26. <u>X</u> Parking Areas | of Total Area) |
| 27. <u>N/A</u> Loading Areas | 50. <u>X</u> Open Space (Sq. Ft.) |
| * 28. <u> </u> Paving Details | 51. <u>X</u> Open Space (% of Total |
| (Items 25-27) | Area) |
| | 52. <u>X</u> No. of Parking Spaces |
| | Proposed. |
| | 53. <u>X</u> No. of Parking |
| | Required. |

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

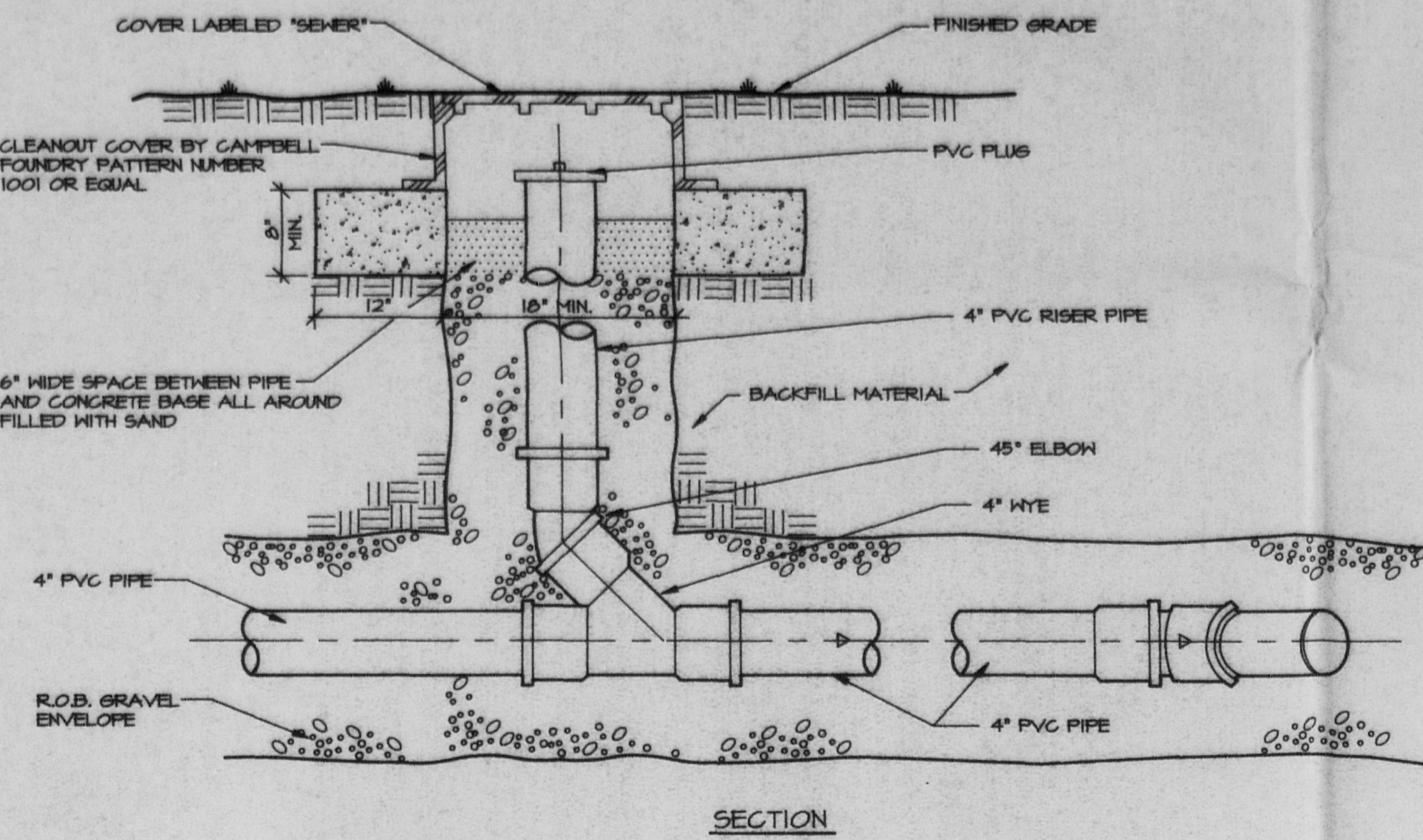
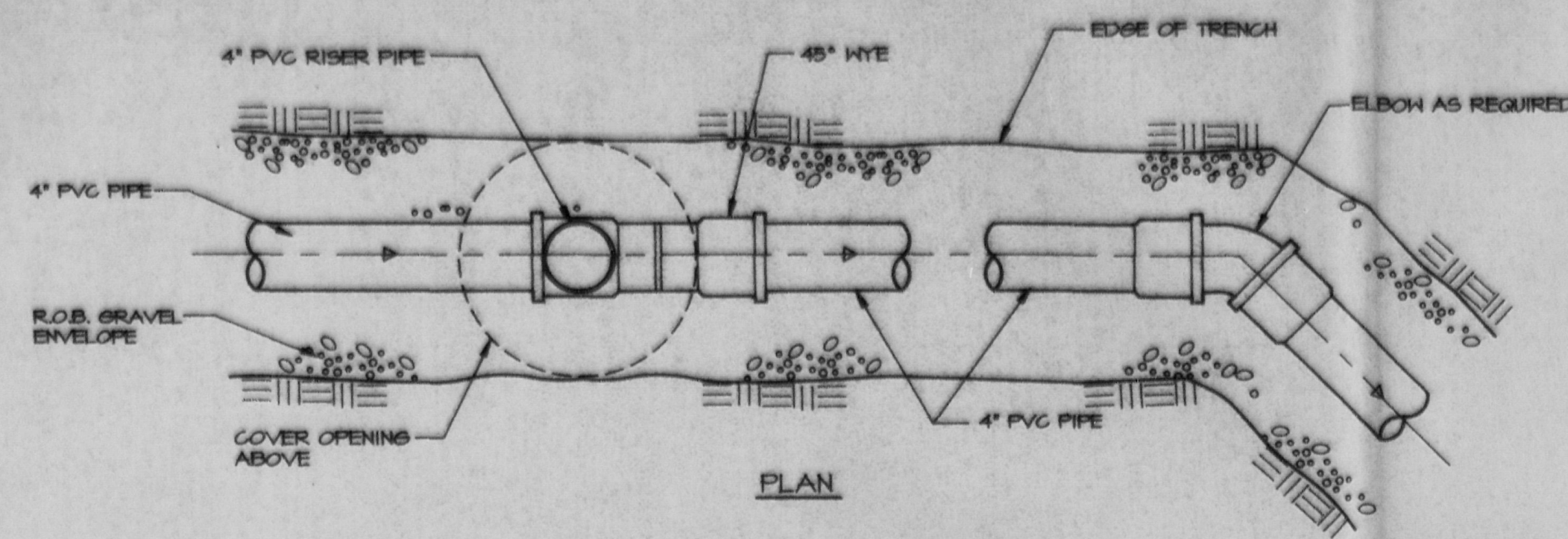
PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

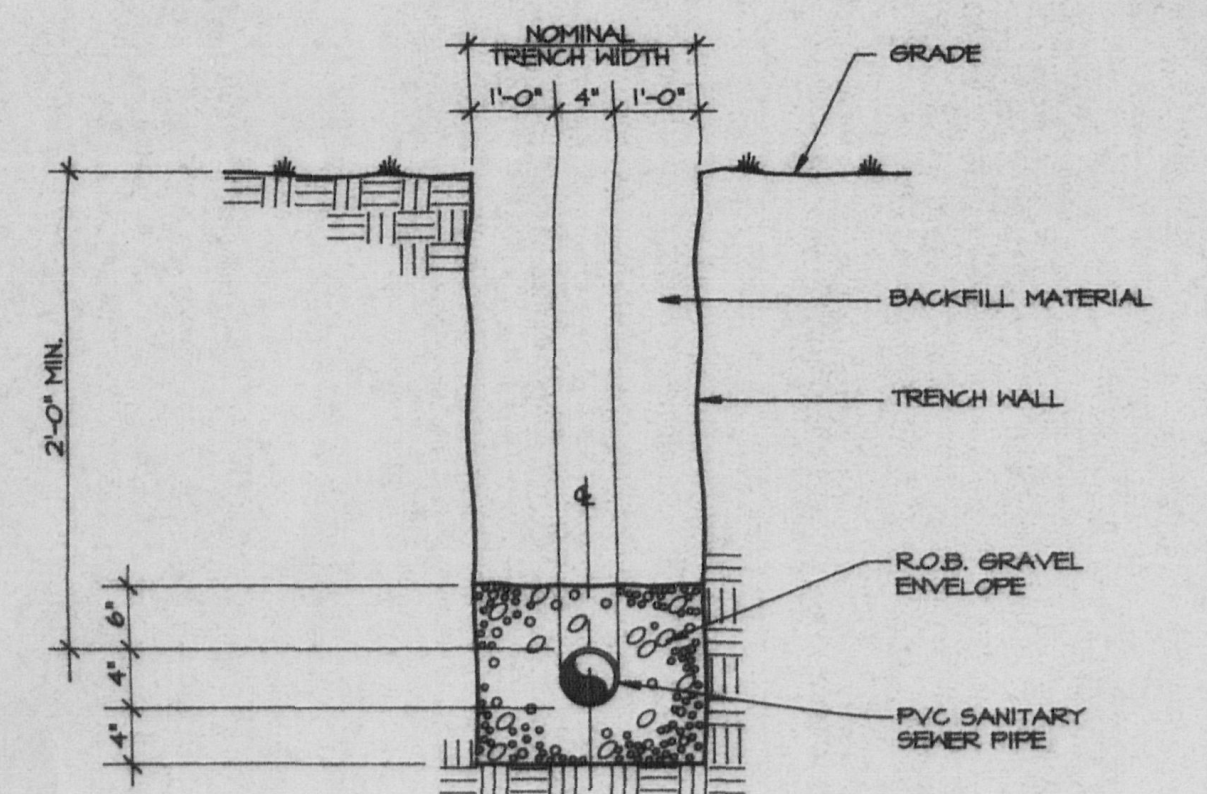
By: 
Licensed Professional

*To be provided at a later date after obtaining necessary variances

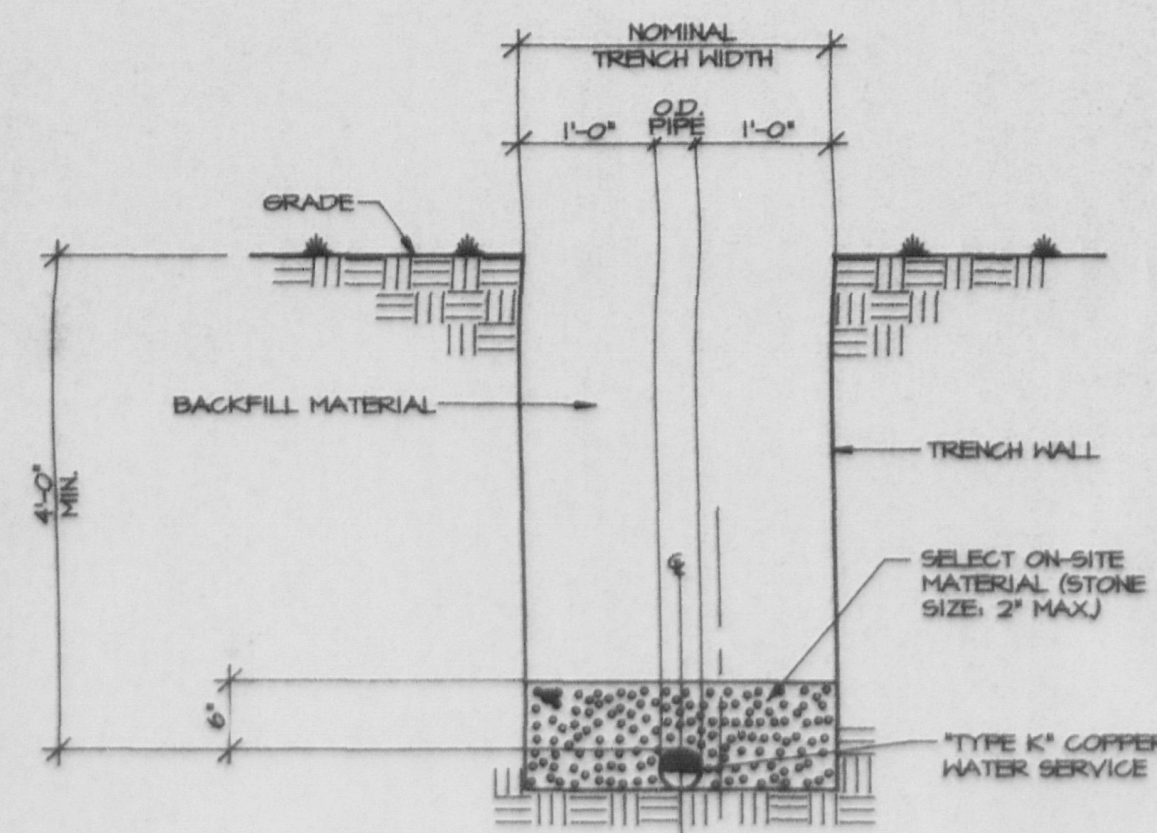
Date: Dec. 15, 1992



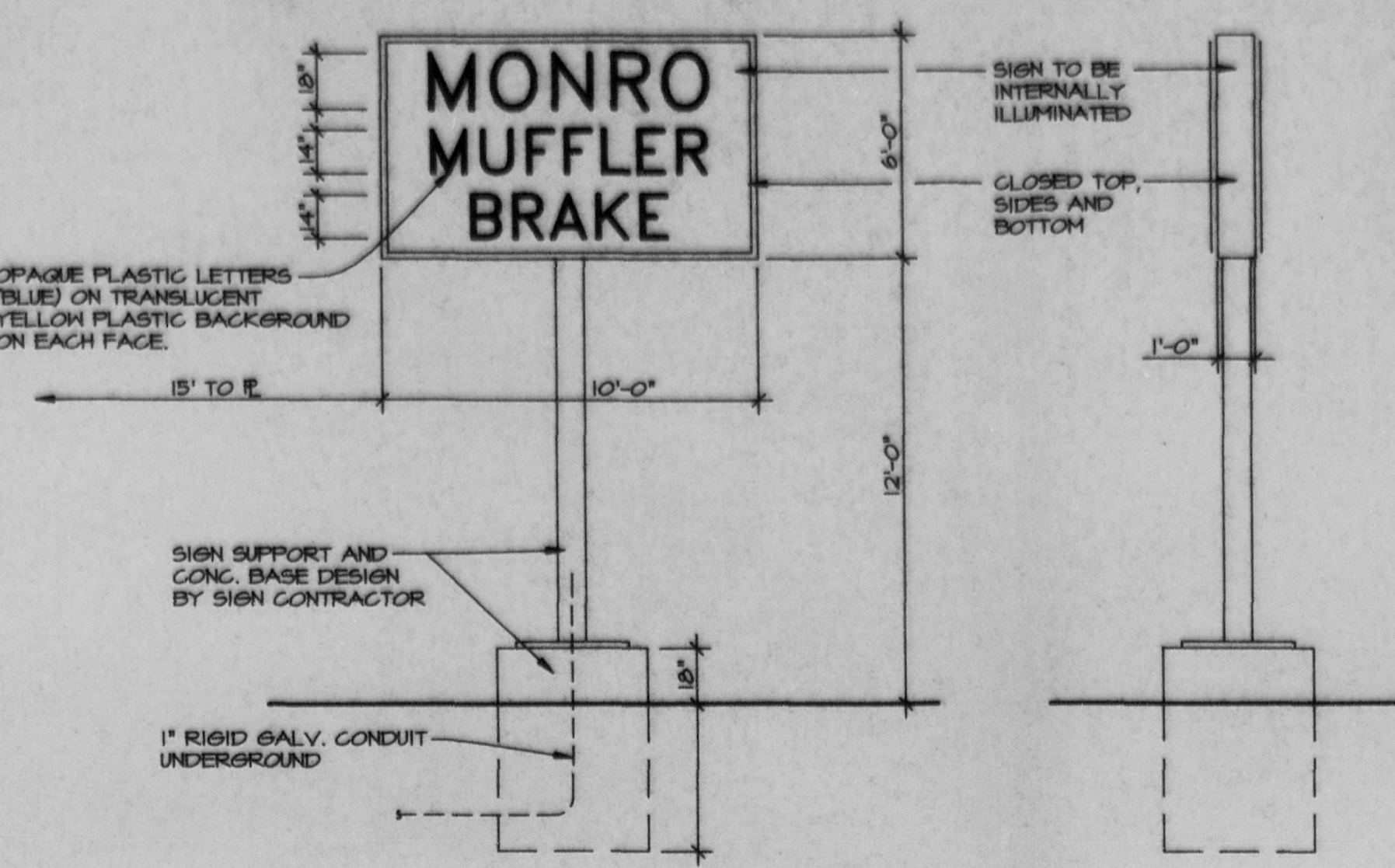
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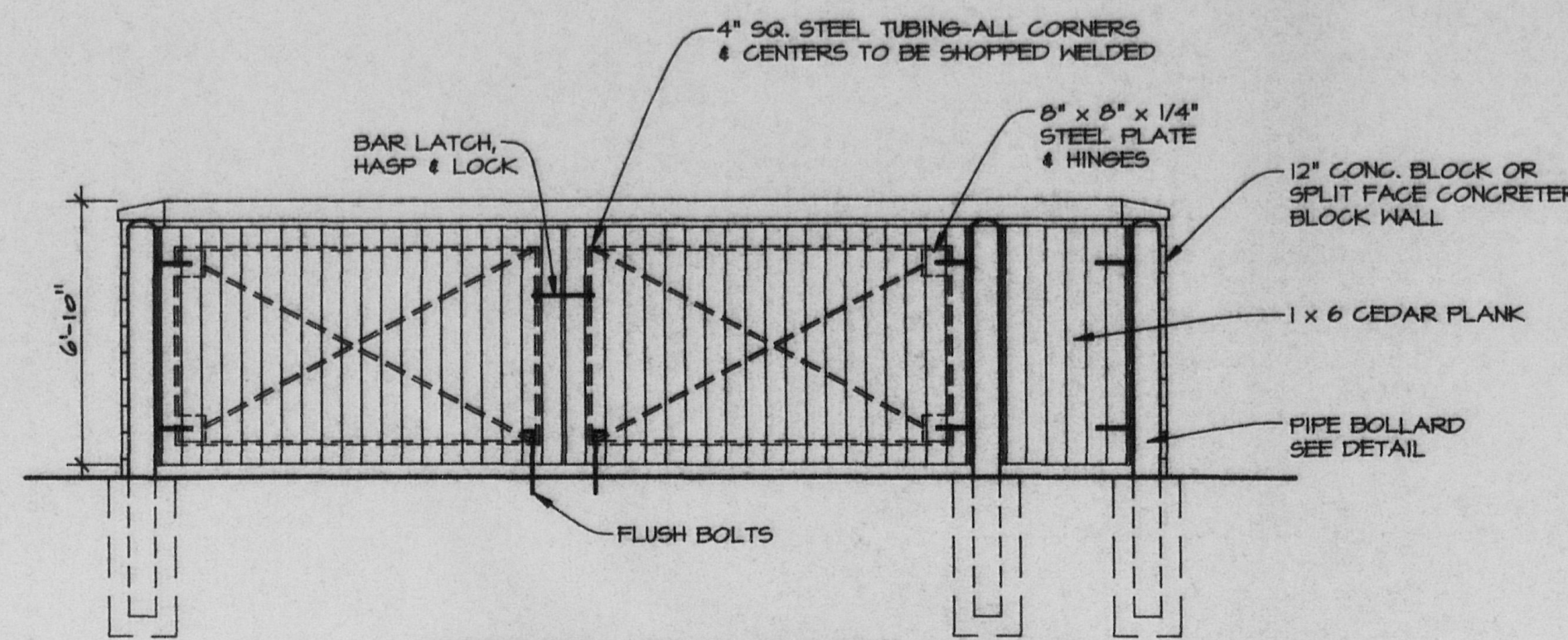
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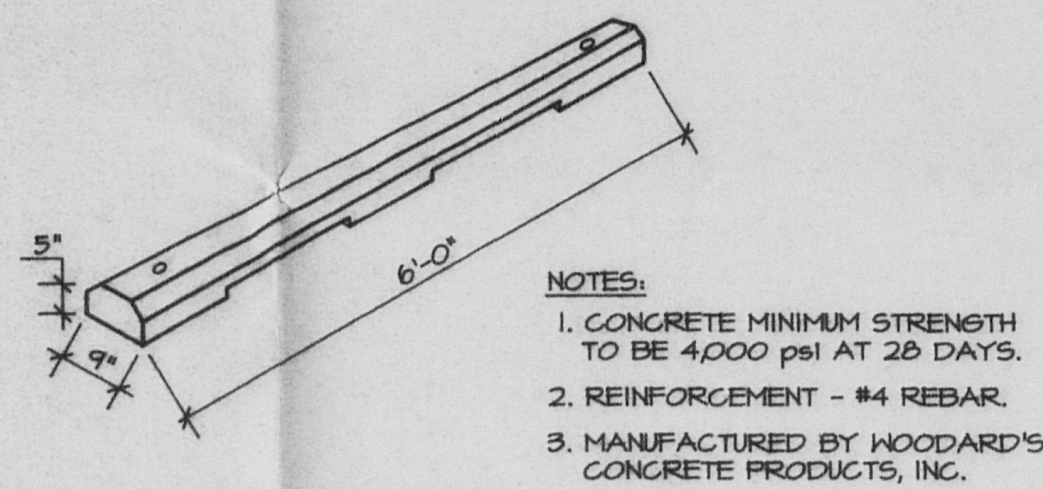
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NO SCALE



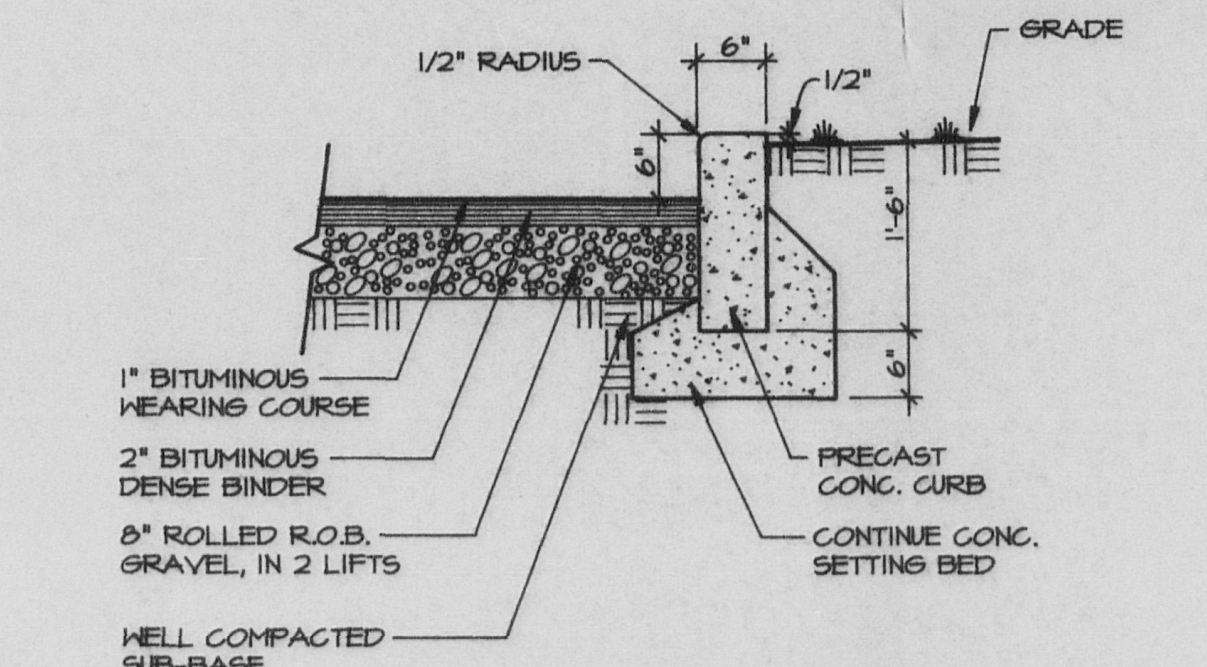
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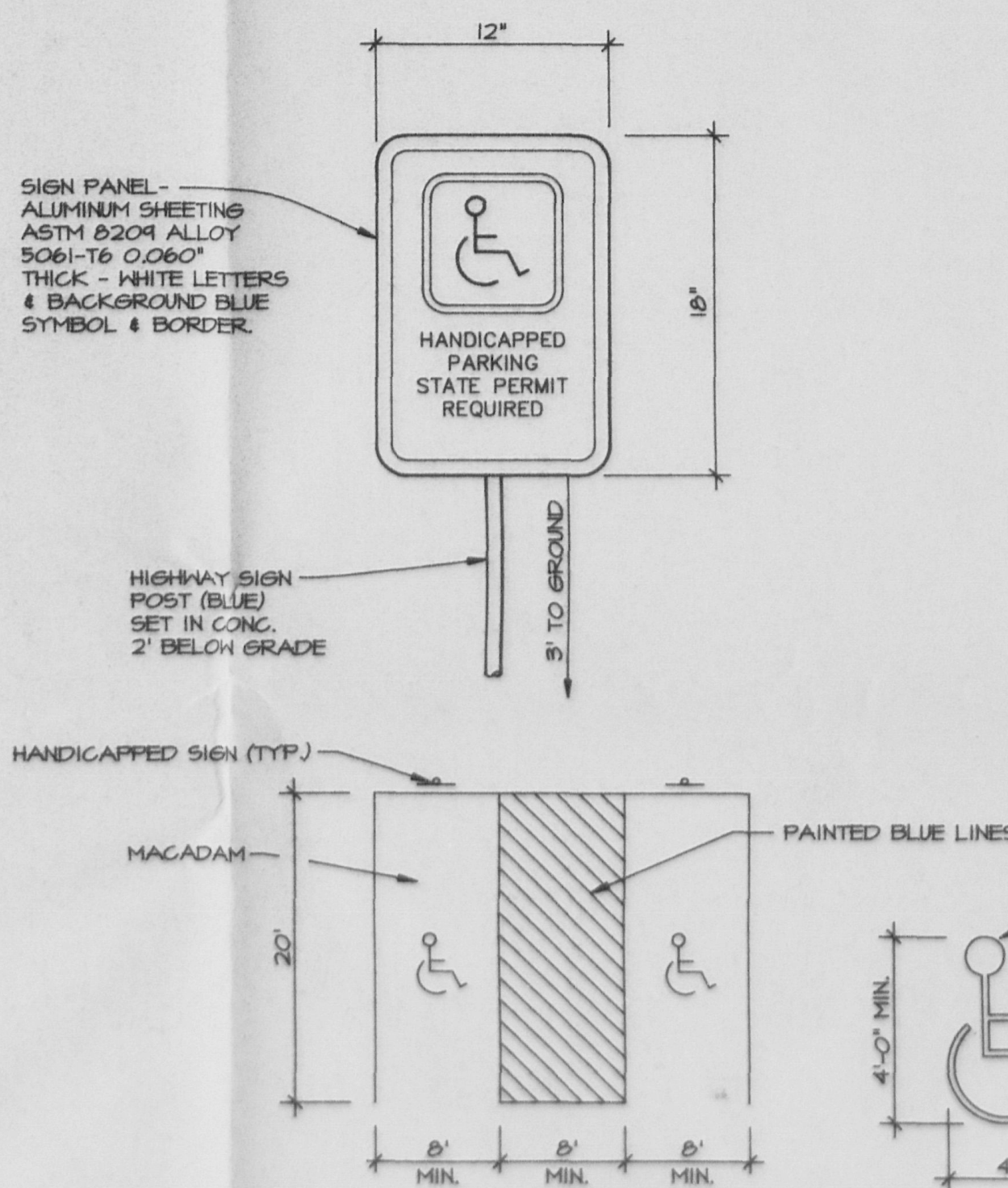
REFUSE ENCLOSURE
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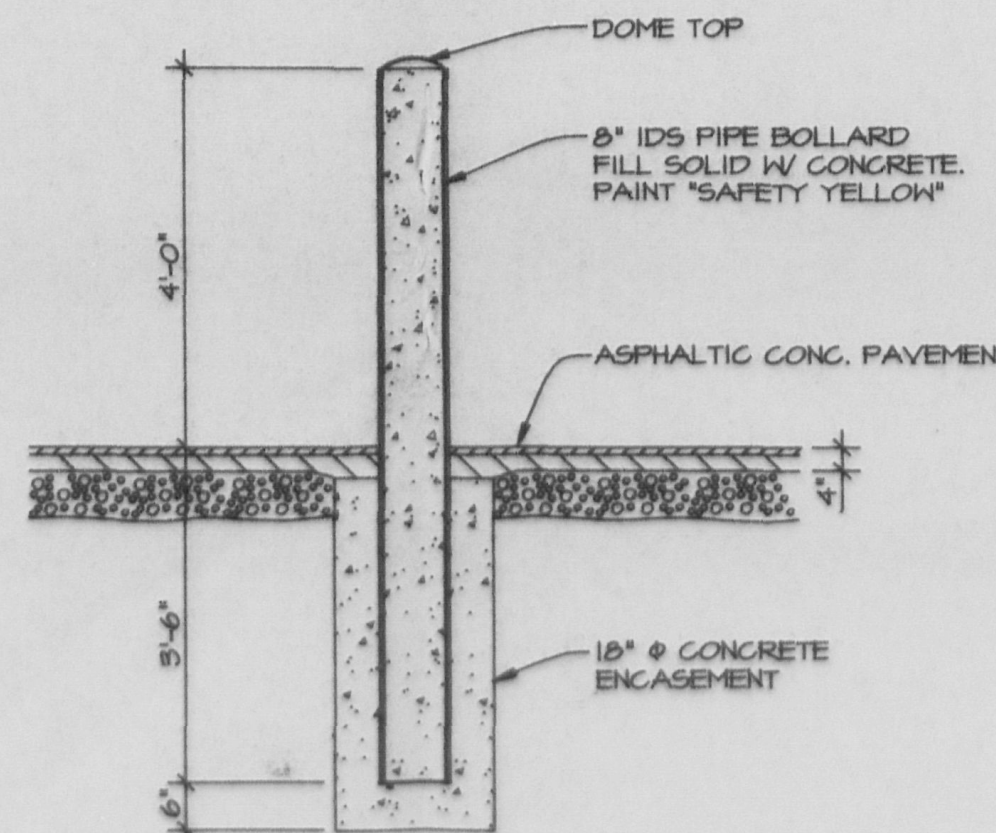
WHEEL STOP DETAIL
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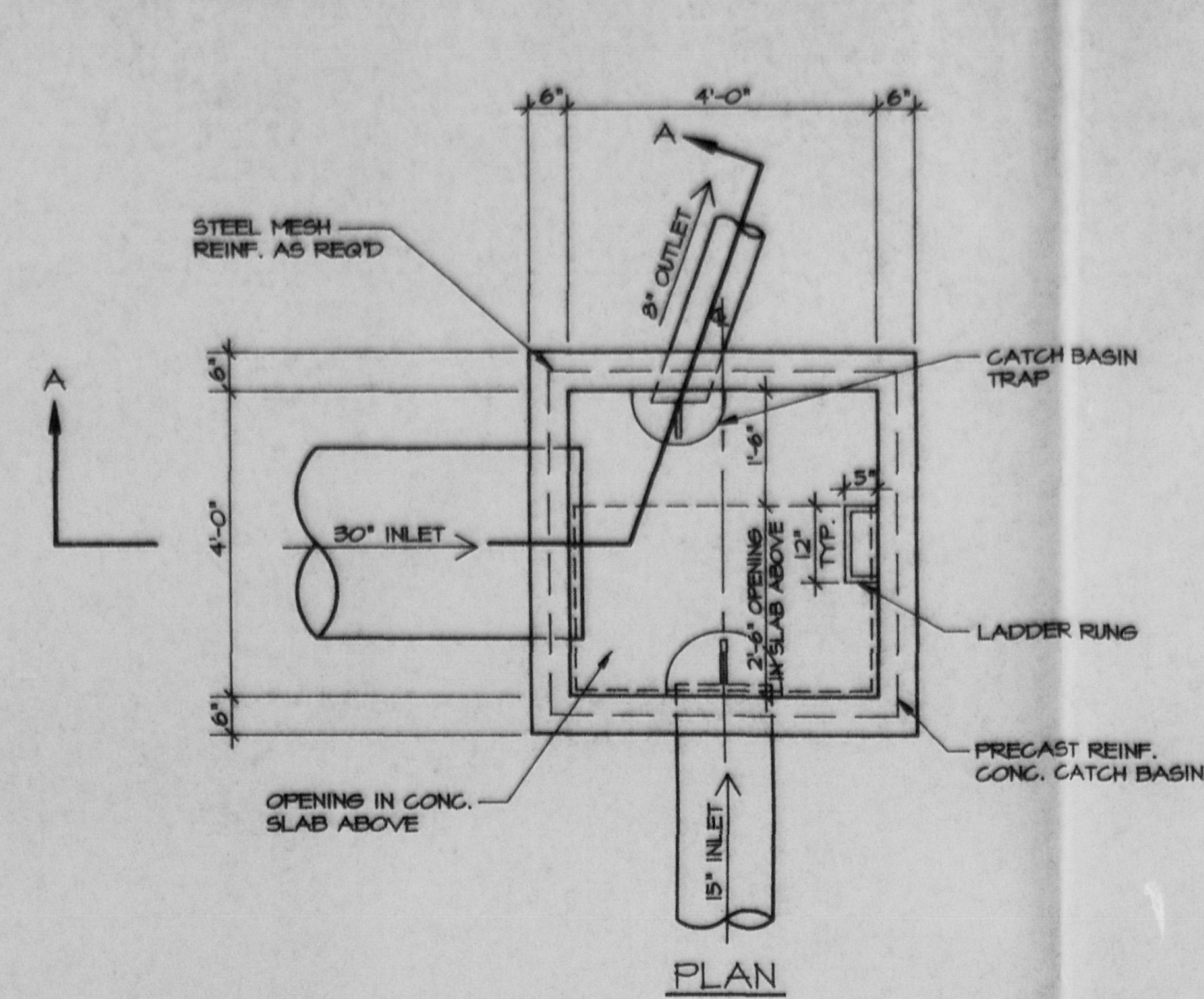
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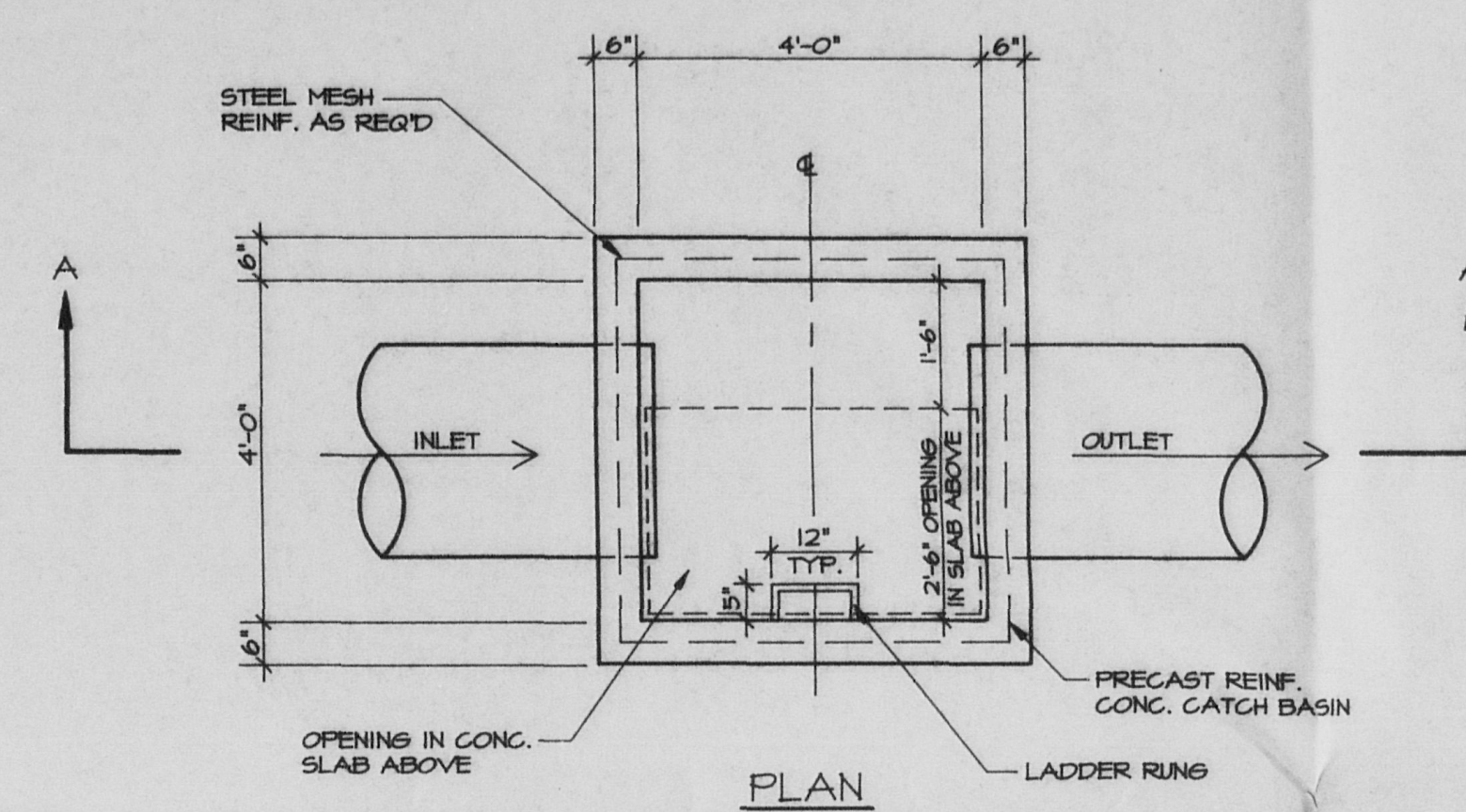
HANDICAPPED SIGN & SPACE DETAIL
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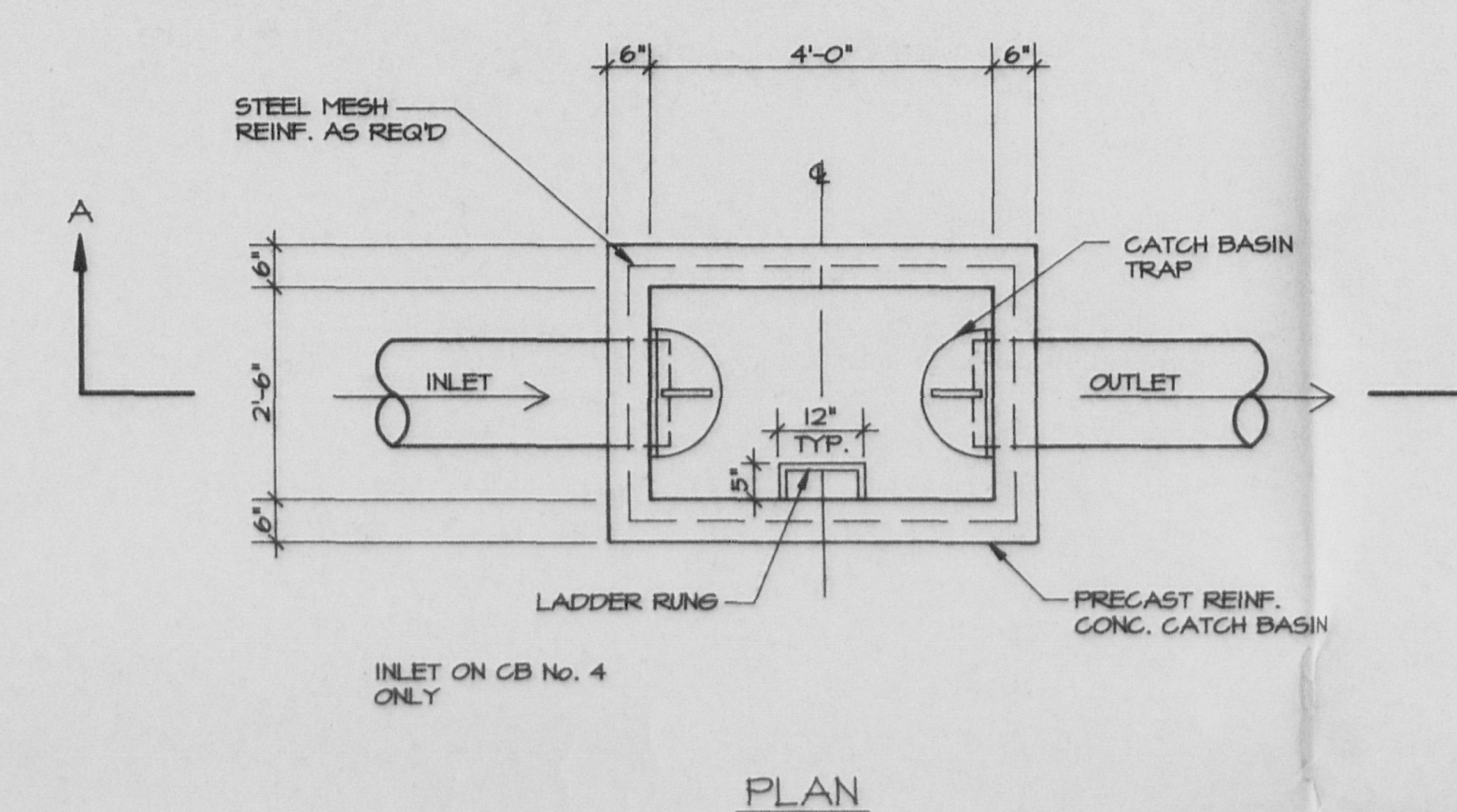
BOLLARD DETAIL
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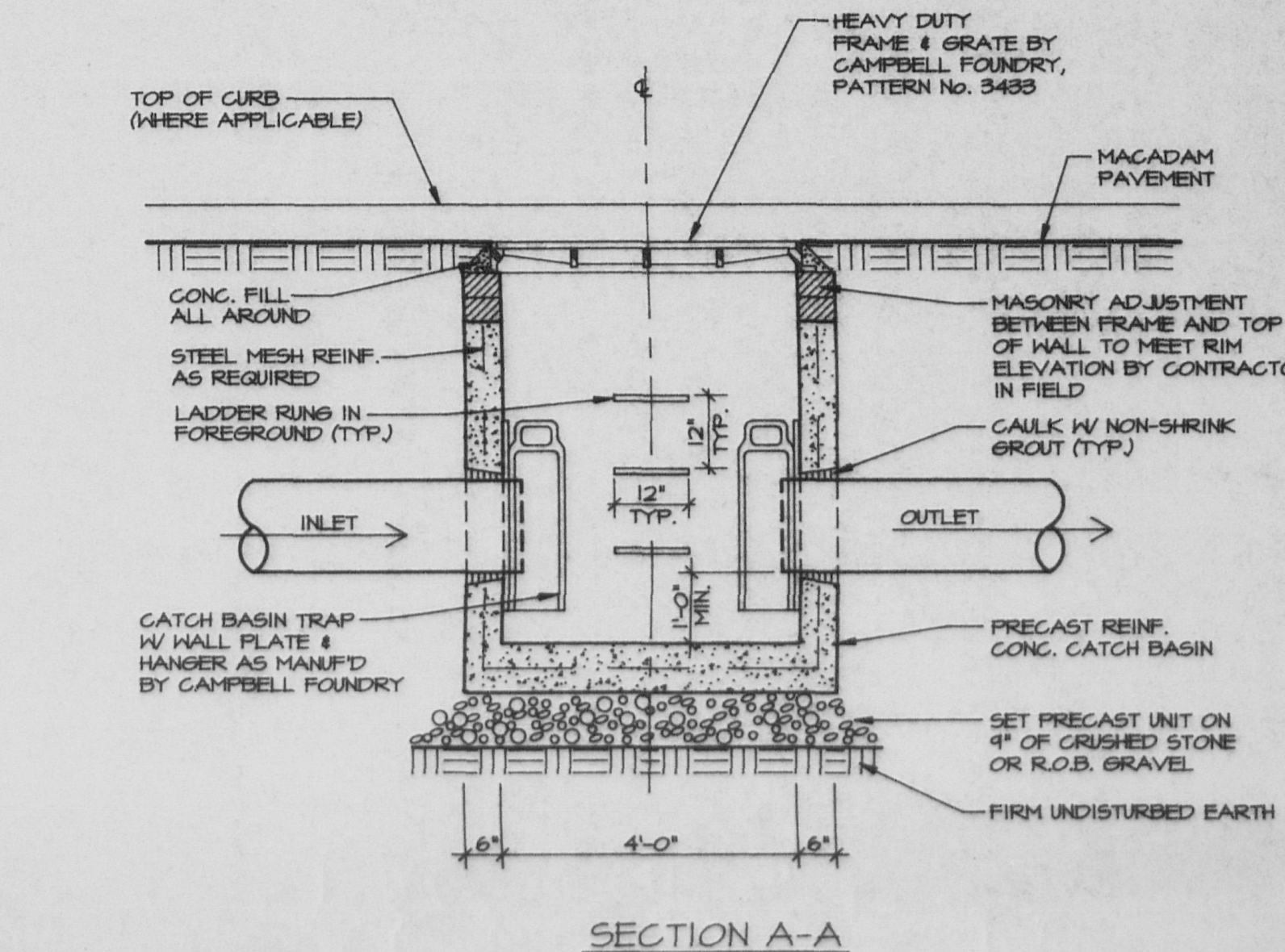
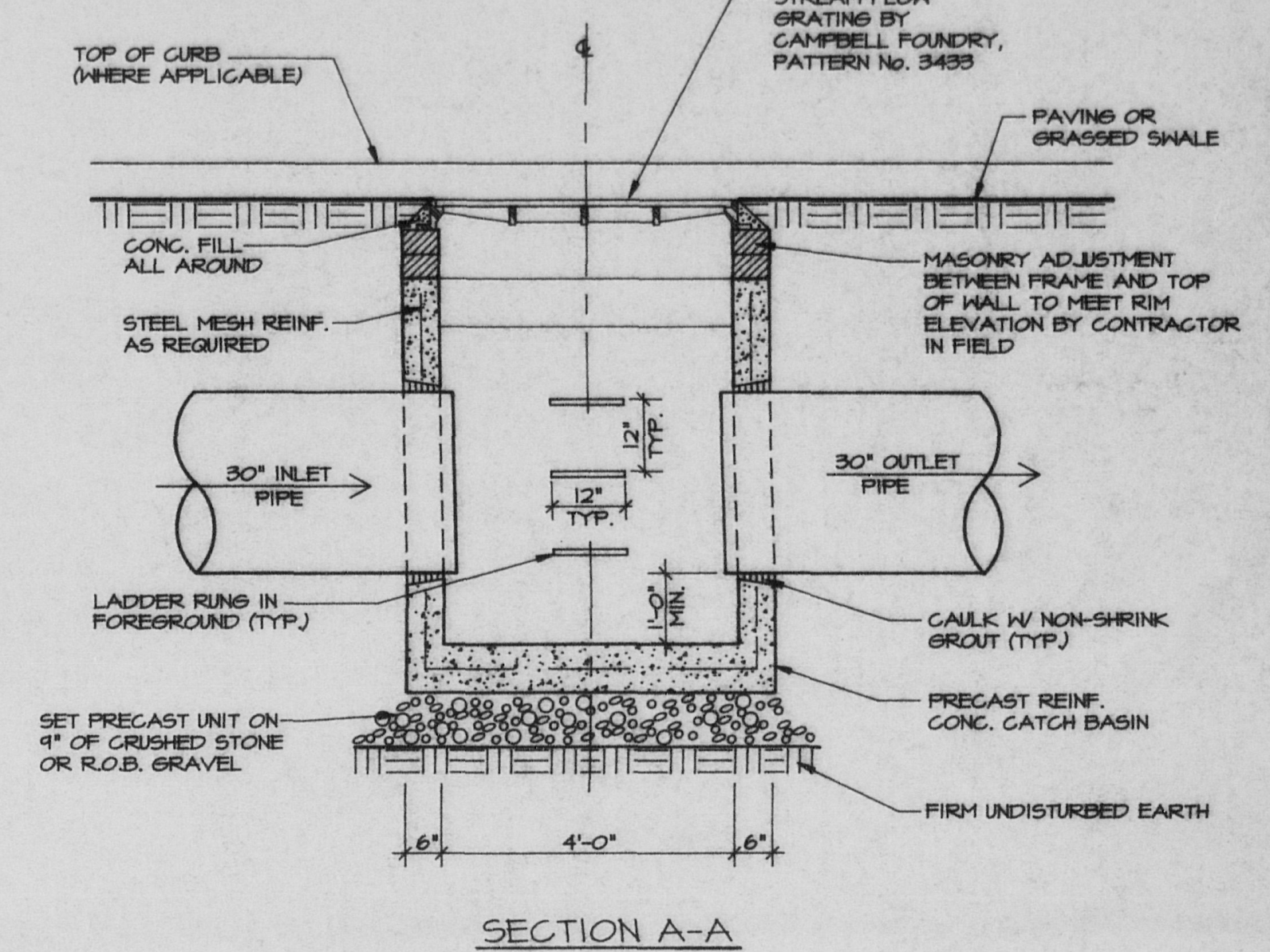
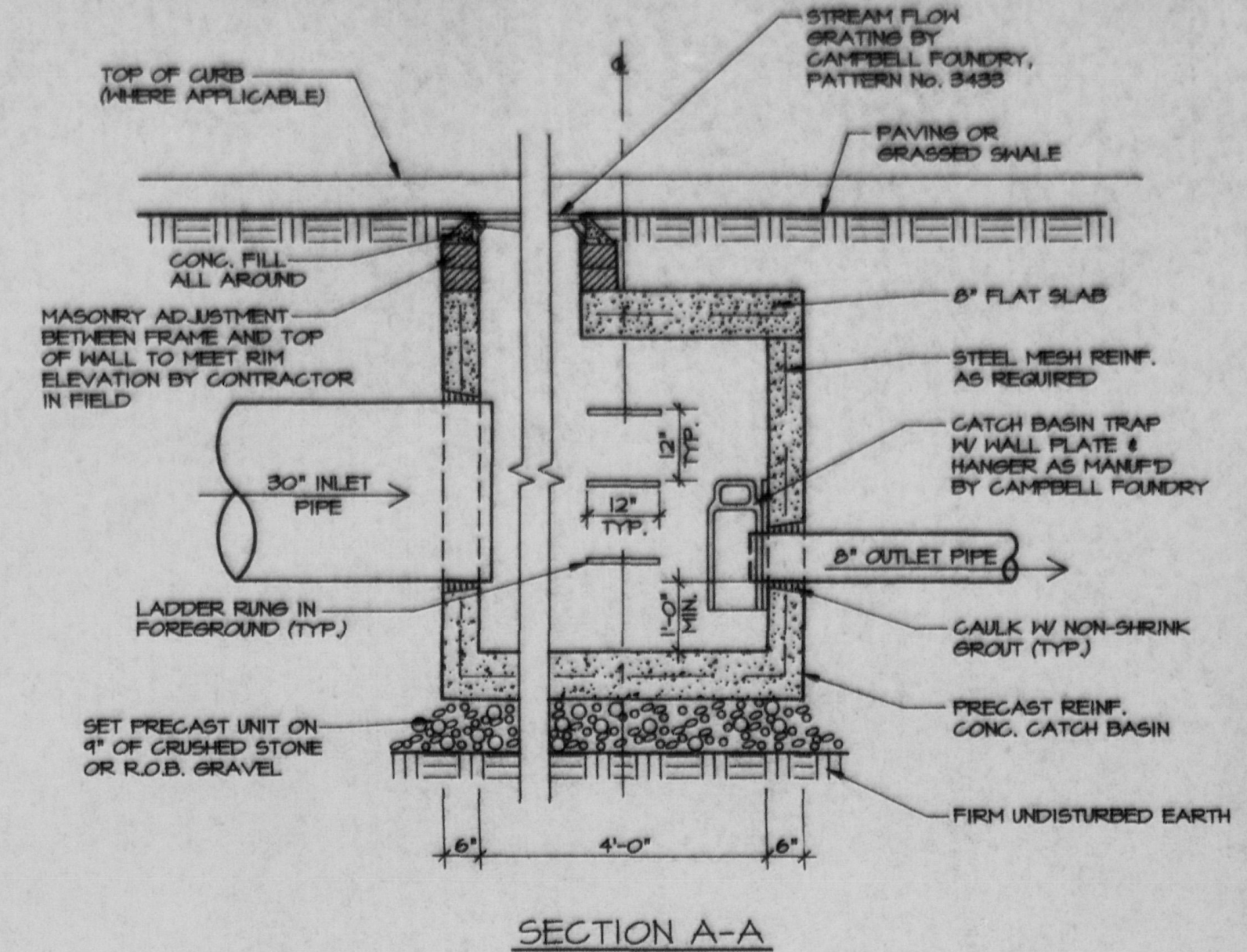
CATCH BASIN 1 DETAIL
NOT TO SCALE



CATCH BASINS 2 & 3 DETAIL
NOT TO SCALE



CATCH BASINS 4 & 5 DETAIL
NOT TO SCALE

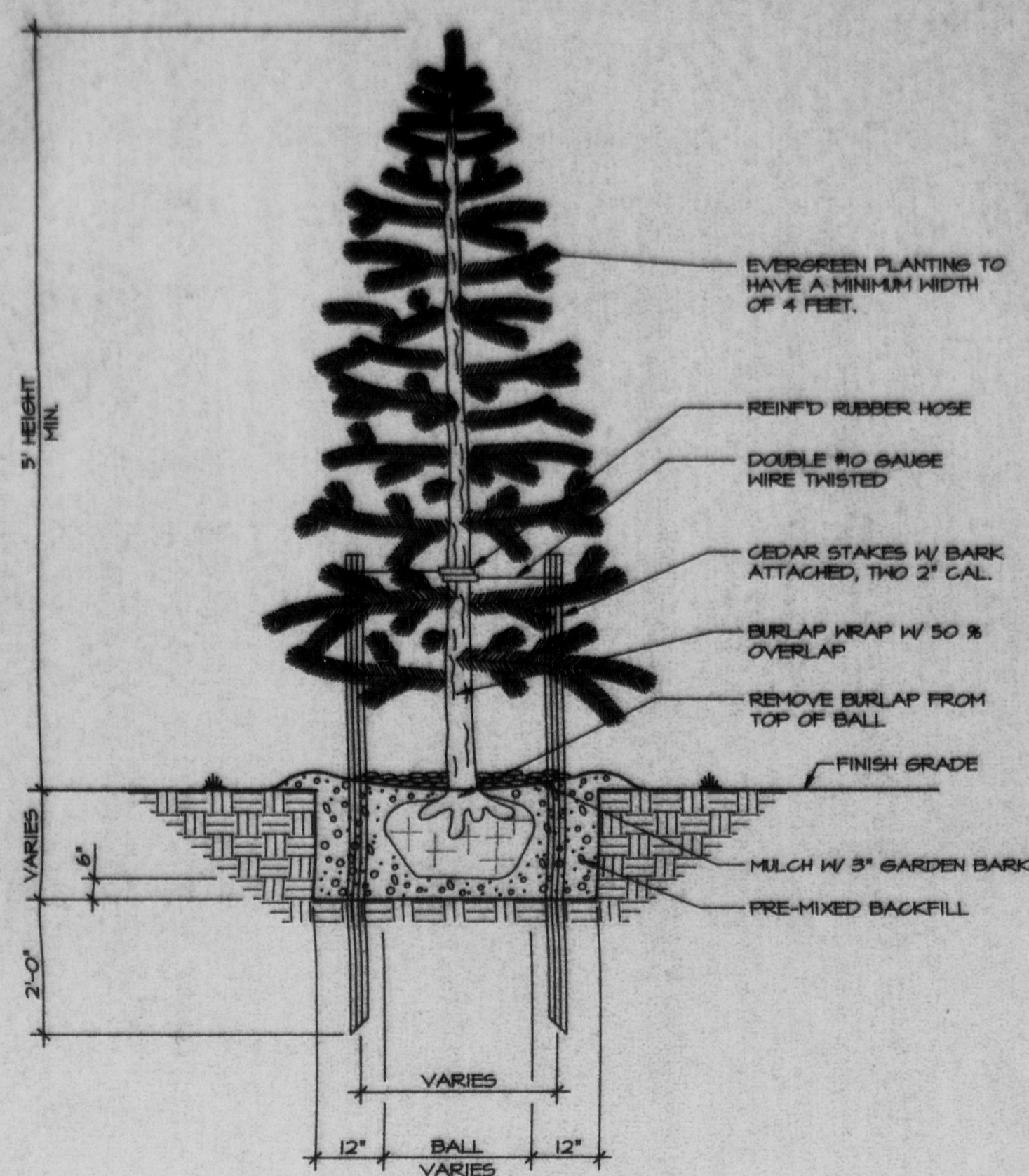


TOWN OF NEW WINDSOR PLANNING BOARD
STAMP OF APPROVAL

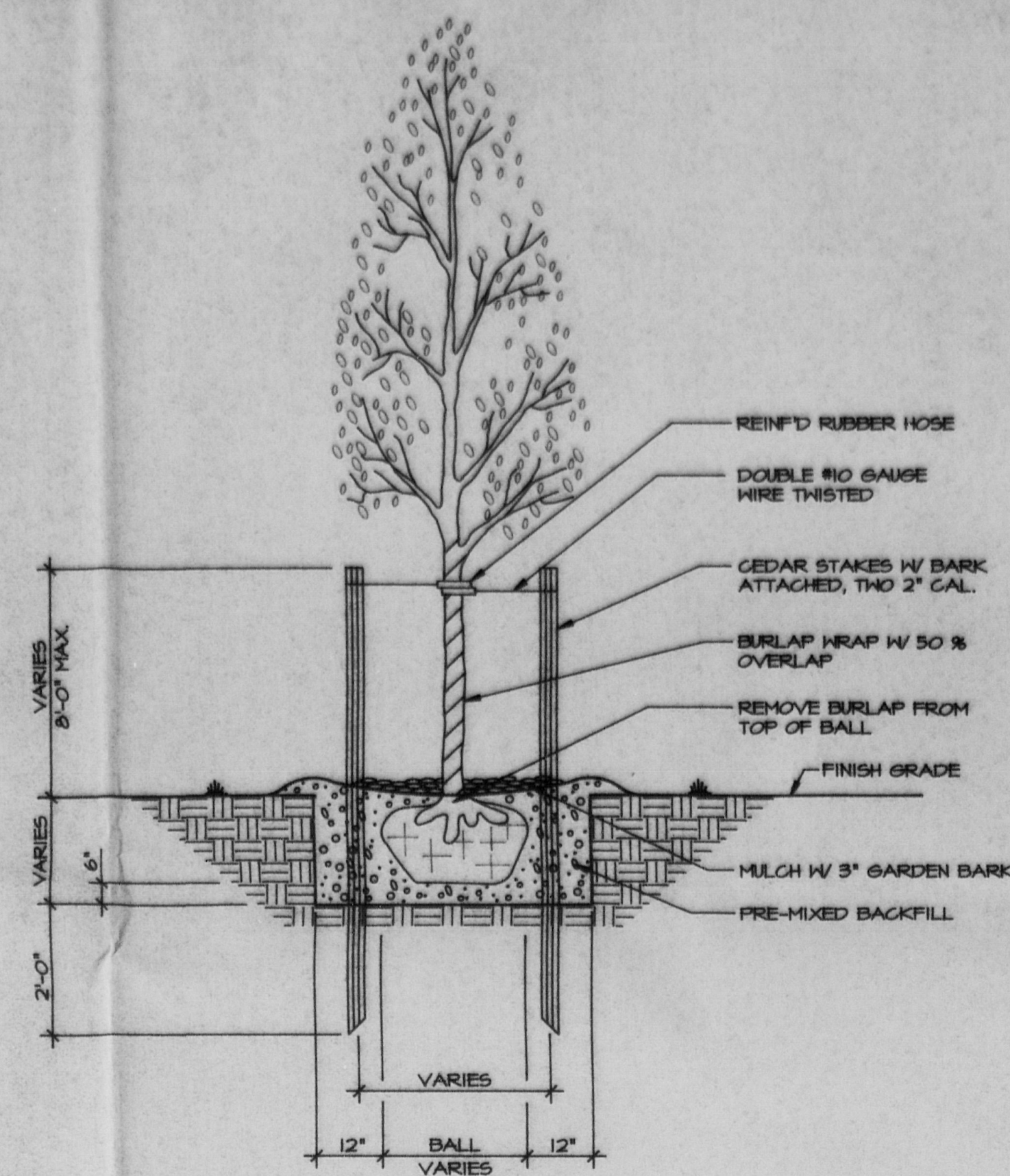
SITE PLAN APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON **SEP 13 1993**
BY **GARMEN R. DUBALDI, JR.**
SECRETARY

Shaw Engineering
Consulting Engineers
744 Broadway Newburgh N.Y. 12550

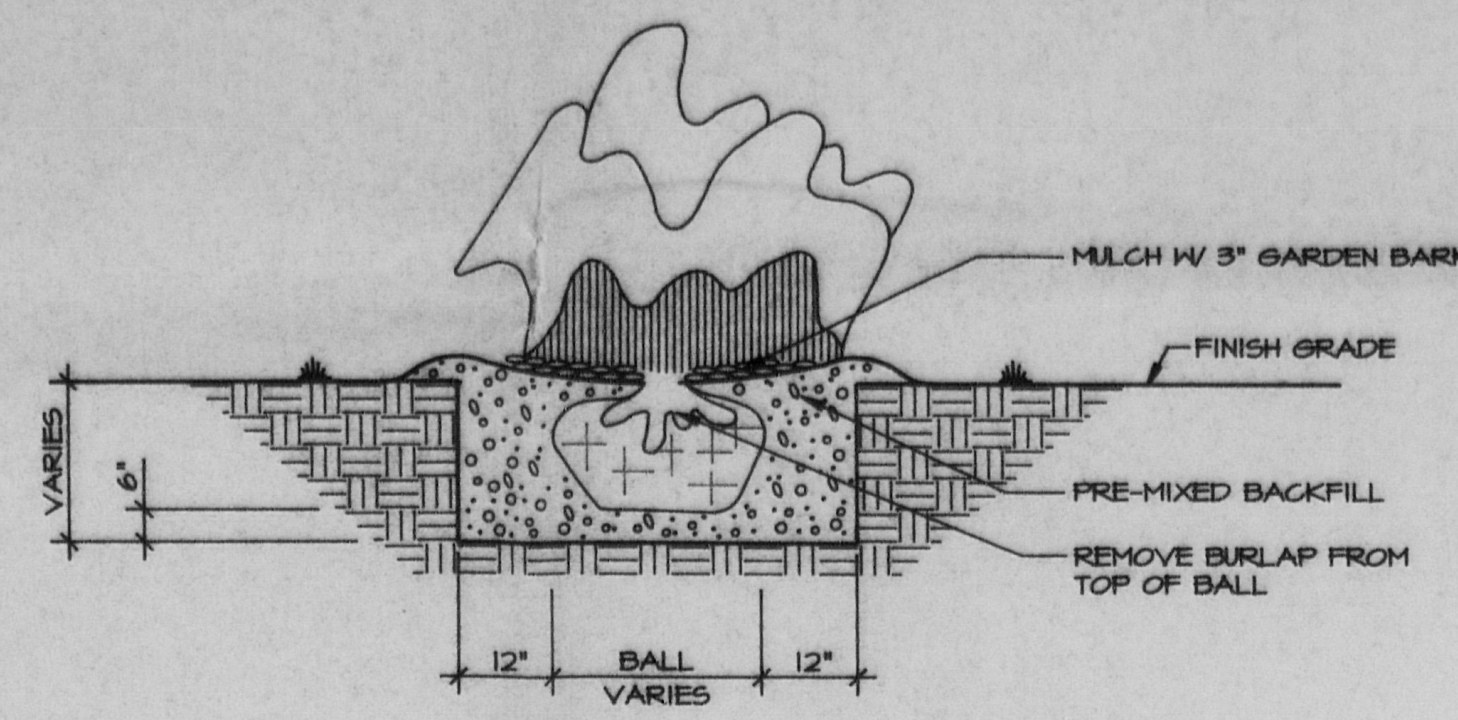
UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.			Drawn By: J.R.J.	Drawing: SITE IMPROVEMENT DETAILS	2 OF 3
COPIES FROM THE ORIGINAL OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL OF THE STAMP OR EMBOSSED SEAL OF THE PROFESSIONAL ENGINEER SHALL NOT BE CONSIDERED VALID TRUE COPIES.			Checked By: G.J.S.	Project: NEW FACILITY FOR MONRO MUFFLER BRAKE INC.	
COPYRIGHT 1993 SHAW ENGINEERING			Scale: AS SHOWN	Project No. 9219	
			Date: 5-31-1993	N.Y.S. ROUTE 44 TOWN OF NEW WINDSOR, N.Y.	
2	PLANNING BOARD COMMENTS OF JULY 21, 1993	8-10-1993			
1	NO REVISION	7-4-1993			
ISSUE	REVISION	DATE			



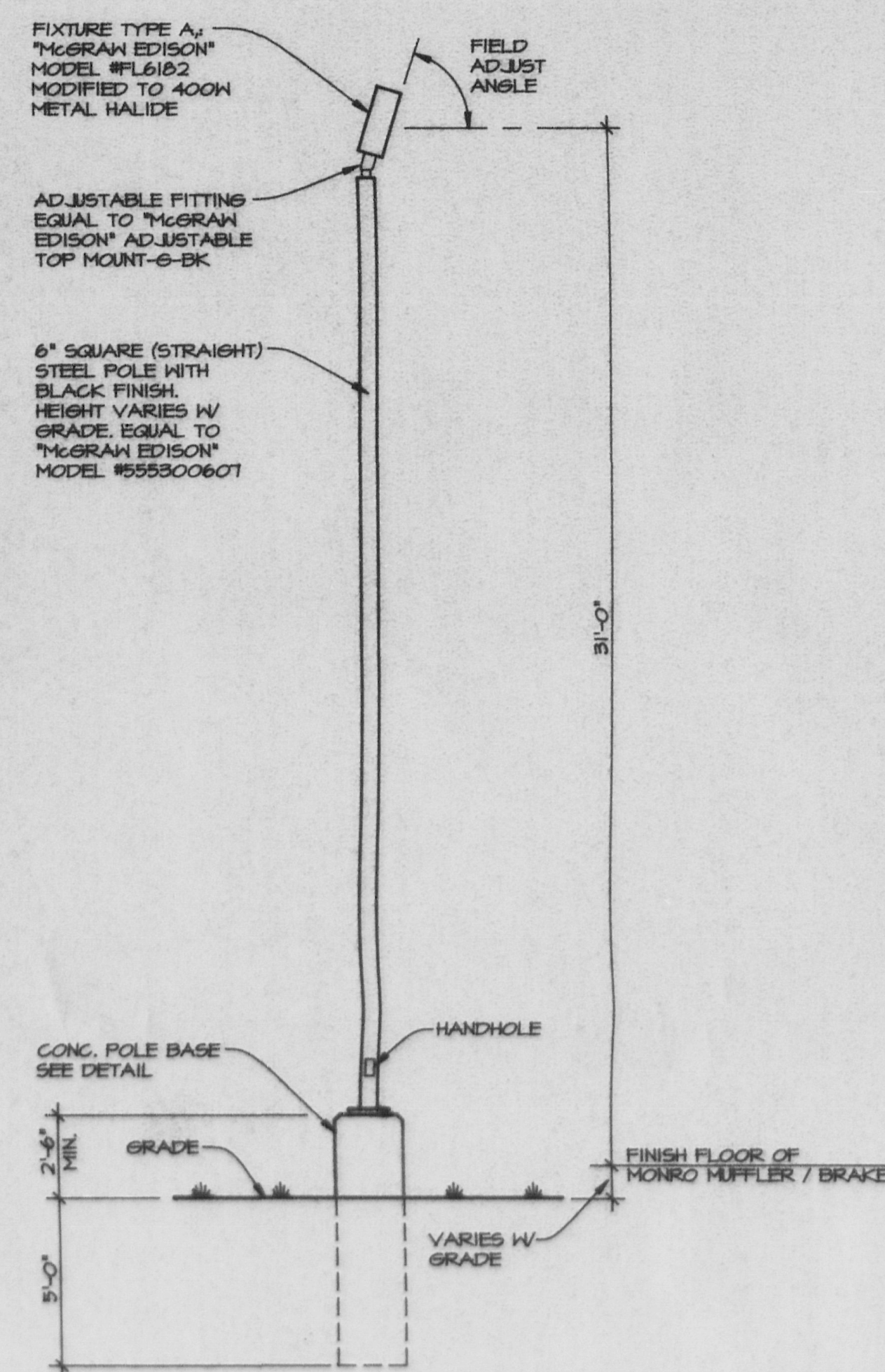
TREE PLANTING DETAIL
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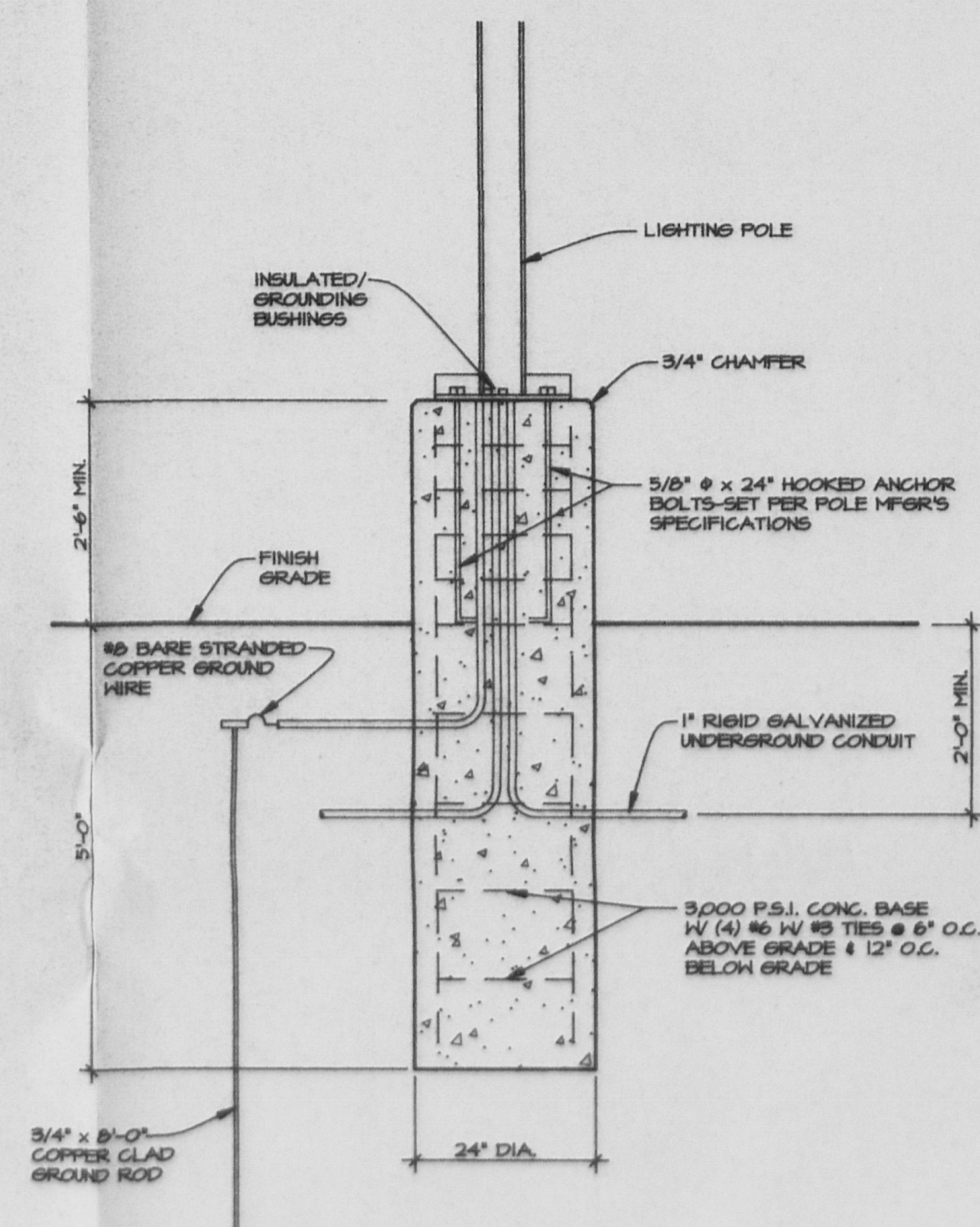
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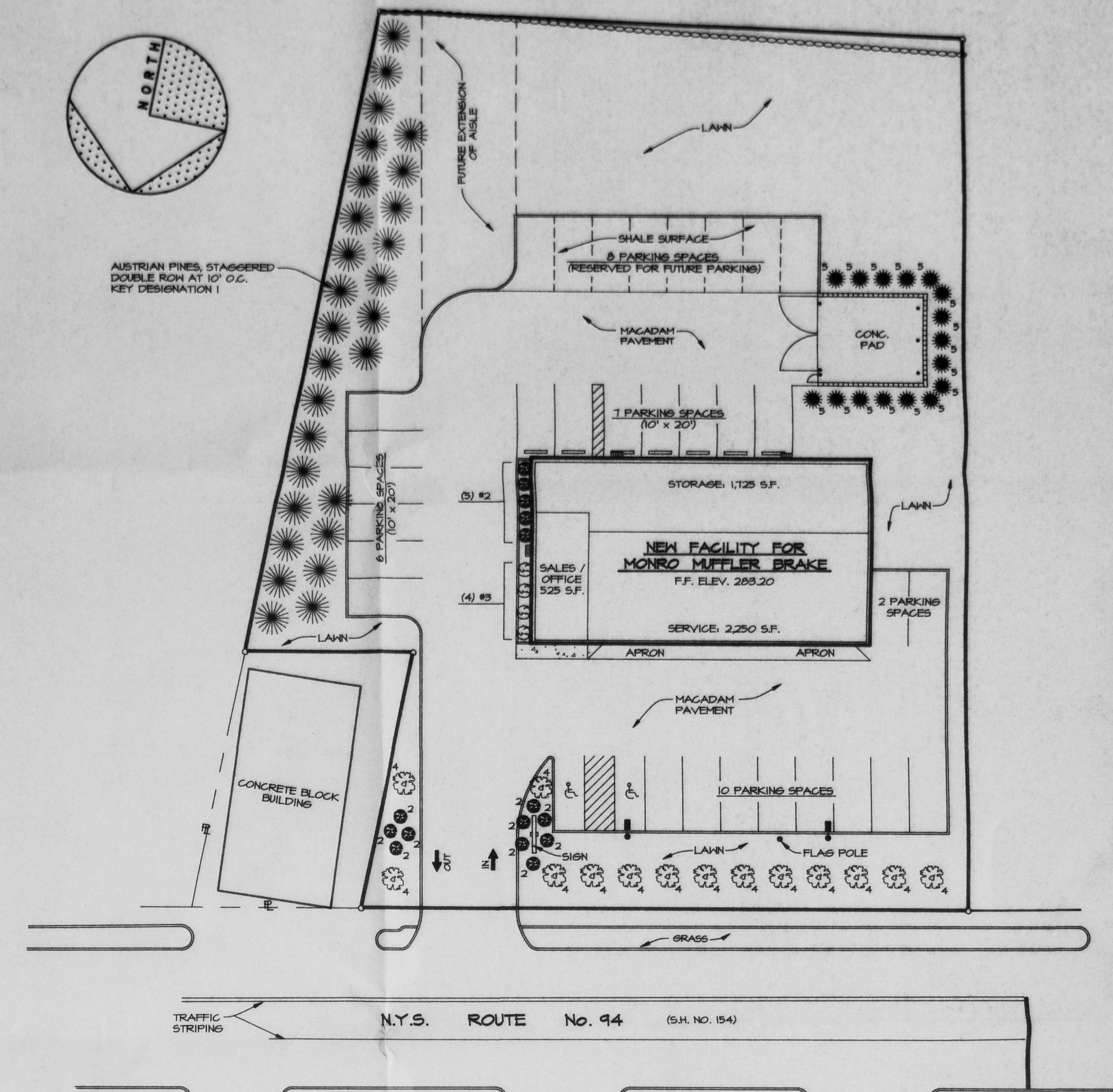
SHRUB PLANTING DETAIL
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LIGHTPOLE DETAIL
NOT TO SCALE

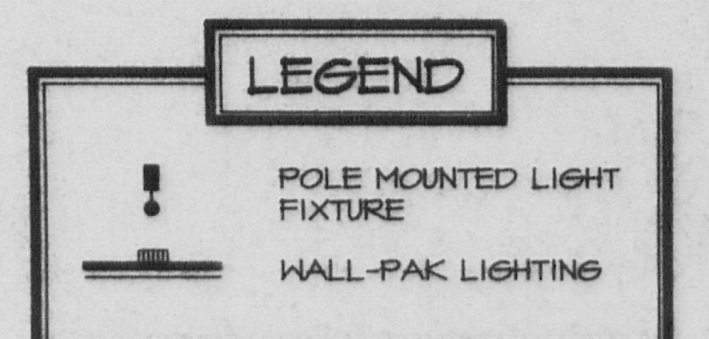


LIGHTPOLE BASE DETAIL
NOT TO SCALE



LANDSCAPING & LIGHTING PLAN
SCALE: 1"=20'

PLANT LIST		
KEY	COMMON NAME	QUANT.
1	AUSTRIAN PINES (6' HIGH)	28
2	DWARF BURNING BUSH	15
3	PRINCE OF WALES JUNIPER	4
4	BLUE RUG JUNIPER	14
5	PYRAMIDAL ARBORVITAE	16



TOWN OF NEW WINDSOR PLANNING BOARD
STAMP OF APPROVAL

SITE PLAN APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON SEP 13 1993
BY CARMEN R. DUBALDI, JR.
SECRETARY